

REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, January 17, 1957

Present--Councilmen Burgener, Williams, Schneider, Evenson  
Absent--Councilmen Kerrigan, Curran; Mayor Dail (on City business)  
Clerk---Fred W. Sick

Vice Mayor Dudley D. Williams, Jr. called the meeting to order at 10:09 o'clock A.M.

The Vice Mayor spoke to members of the audience about delay in starting this meeting. He told of items of civic interest in which members of the Council participated.

The Vice Mayor welcomed a group of students from Samuel Gompers, Jr. High School, accompanied by Miss Harriet Ruben, teacher.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Ordinance providing for proposed annexation of "Mission Village Tract", consisting of portions of Lots 36 and 41 of Rancho Mission of San Diego, Aaron Reese, Deputy City Attorney, said to the Council that there is to be an exclusion; and that it is within the 5% to make the request.

The Vice Mayor inquired if anyone was present to be heard. Harvey Furgatch, representing the buyer, Martin Gleisch, was heard. He told of legal complications having arisen on 1 parcel, which is still in an estate, on which a will is being probated. He requested removal of that portion from the annexation. He said that all of the property affected would then be owned by Mr. Gleisch and be uninhabited.

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

Councilman Schneider moved to exclude the area, less than 5%. Motion was seconded by Councilman Burgener. The motion carried.

On motion of Councilman Burgener, seconded by Councilman Schneider, Ordinance approving annexation to The City of San Diego of certain uninhabited territory in portions of Lots 36 and 41 Rancho Mission of San Diego; all of Lots 10, 11, 12, 13 Block 3 Rosedale; and 8th Street lying contiguous to portion of said Block 3 Rosedale, in the County of San Diego, State of California, known and designated as "Mission Village Tract", was introduced, by the following vote: Yeas=Councilmen Burgener, Williams, Schneider, Evenson. Nays=None. Absent-Councilmen Kerrigan, Curran, Mayor Dail.

(The Ordinance, introduced, excludes the parcel referred to in the hearing).

Councilman Kerrigan entered the meeting

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed ordinance amending Article 1 Chapter X of San Diego

Meeting convened  
Visitors welcomed  
Hearings

1/17/57

Municipal Code by Amending Sections 101.0408 and 101.0238, and adding a new section to be known as and numbered Section 101.0408.1 relating to Zoning - the City Manager said that the subject has been studied in conference.

The Clerk reported that there are 3 ordinances.

No one appeared to be heard, when the Vice Mayor inquired if anyone was present to speak. No protests were filed.

Councilman Schneider said that he is not clear on 1 or 2 points.

The Vice Mayor asked if this comes as a recommendation from Planning.

Harry C. Haelsig, Planning Director, replied "yes", and told of Planning Commission hearings and of meetings which have been held. He said that there are instances in which restricting uses are being made, to a greater extent. He reviewed the uses, and said that motels with less than a 1-week stay. He said that would be in the new R-4P. Mr. Haelsig reviewed the "old" zone, and the "new" zone.

The Vice Mayor suggested study in conference.

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

RESOLUTION 137302, referring to Council Conference proposed Ordinances amending San Diego Municipal Code regulating signs in certain zones; R-4Zone; Conditional Use Permits authorized by Planning Commission, 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 rezoning of portion Lot 67 Rancho Mission, from R-1 to R-2, at southeast end of Waring Road, in Allied Gardens, Robert Thorn, attorney, appeared.

Report of the Planning Commission, by P. Q. Burton, on petition of Bollenbacher and Kelton on 11 acres of land at southeast end of Waring Road in Allied Gardens and on northeasterly side of Navajo Road, a dedicated but unimproved street, was read to the Council by the Clerk. It says it is represented that the land is being purchased for a church and parochial school site, and identifies existing zoning. It says that prior to the Commission meeting, petition and letter of protests were received objecting to the proposal, on the grounds that: 1) there is a fine public elementary school within 3 blocks, with other church sites in Allied Gardens; 2) Better use of land would be to subdivide into lots and build according to present zoning, with single-family dwellings, which program would put much more taxable land and improvements on the tax roll, whereas a church takes land off the tax roll; 3) R-2 zoning would permit duplexes and a shifting group of property owners and tenants, which would be detrimental to surrounding R-1 developments.

The report says that the Commission discussed the Conditional Use Permit procedure for permitting the church and school to be established, but it was the Commission's opinion that the large acreage, controlled by a subdivision map could be so restricted that only a 1-lot subdivision map would be approved, and therefore it would be feasible to use the property only as a church and school site. It says that the Commission voted 5-0 to approve the proposed rezoning, provided a subdivision map is filed within 1 year.

Mr. Thorn said to the Council that he represented 9 out of 14 property owners immediately contiguous to the north. He said that they "do not oppose the school and church, but the means to do it". He said there are 11 acres, which will not all be used for the purpose shown. Mr. Thorn said that the developer - not the church - is applying. He said that if approved, it would be R-2, with no assurance of a church and church school. Mr. Thorn contended that this should be handled by conditional use. He stated that people who signed in favor thought it was a conditional use

for a church. He said it would be R-2 land; signers (99%) would be against rezoning; he opposed re-zoning.

Mr. Haelsig said that there would be a problem on conditional use; it would require a hearing on each change; the schools want their property R-2. Members of the Council held discussions with Mr. Haelsig, who identified "what could be put on". He told of having had submitted a tentative map for a 1-lot subdivision.

Councilman Burgener spoke to Mr. Thorn about what would be permitted, and of there being protection.

Mr. Thorn said that DuPaul's (City Attorney) office said that if there were valid R-2, valid subdivision plan could not be arbitrarily refused. He stated that "ownership is in the subdivider; not the church". He stated that there is no showing of church interest in the land. He said he has been told that the church will not use the 11 acres.

Councilman Schneider discussed with Mr. Haelsig objection to conditional use.

Mr. Haelsig spoke to Councilman Schneider about a man to be in charge of the church. He said that most of the discussions have been with Burton (of the Planning Department).

Councilman Schneider stated that he "can see Mr. Thorn's worry".

Mr. Haelsig said that conditional use provides for specific plans and use.

Councilman Burgener said that the safest thing would be to continue 1 week. He expressed surprise that applicants were not present.

Councilman Williams, Vice Mayor, said that this could be continued "until the tentative map is filed".

Councilman Kerrigan spoke of provision for filing a suitable subdivision map. He said "that is in the conditional escrow". He said the problem is of locating churches in Allied Gardens, and reviewed previous activities on the subject. He said there is no access from Navajo Road, and "it needs to be covered in a subdivision map". He reviewed the general situation from a map he had. Councilman Kerrigan said that this seems like a good area for a church.

Mr. Thorn told of wanting to be assured of use of "property left over".

Councilman Schneider said that the City could institute proceedings to rezone to R-1.

On motion of Councilman Schneider, seconded by Councilman Burgener,

RESOLUTION 137303, continuing hearing on the proposed zoning until 10:00 o'clock A.M., Thursday, January 24, 1957, was adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on proposed rezoning Lots 19 to 22 inclusive Block 32 Mission Bay Park Tract, from R-4 to RC-1A - located at northeasterly corner of Grand Avenue and Figueroa Boulevard, on motion of Councilman Schneider, seconded by Councilman Burgener,

RESOLUTION 137304, continuing hearing on rezoning Lots 19 to 22 inclusive Block 32 Mission Bay Park, from R-4 to RC-1A, until 10:00 o'clock A.M., Thursday, January 24, 1957, was adopted.

A majority of members of the Council signed undertakings for current, with San Diego Gas & Electric Co., in:  
El Cajon Boulevard Lighting District No. 1;  
Montemar Lighting District No. 1.

Purchasing Agent reported in writing on low bid of L. B. Butterfield, Inc., for construction of Storm Drain in Nautilus Street and

Hearings  
137303 - 137304  
Purchasing report  
Lighting contracts  
signed

1/17/57

Muirlands Vista Way - \$6,683.00; 9 bids - was presented.

It was approved by the City Manager.

RESOLUTION 137305, ~~authorizing and directing City Manager~~ accepting bid of L. B. Butterfield, Inc. for construction of storm drain in Nautilus Street and Muirlands Vista Way; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Cessford & Ohman, Inc., for construction of a Garage and Storage Building at Mount Hope Cemetery - \$22,480.00; 10 bids - was presented.

RESOLUTION 137306, accepting bid of Cessford & Ohman, Inc. for construction of Garage and Storage Building at Mount Hope Cemetery; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Hawkins-Hawkins Co., Inc. for furnishing 300 - 10' Galvanized Steel Sign Posts - Net price \$1,047.10 including tax; 2 bids - was presented.

RESOLUTION 137307, accepting bid of Hawkins-Hawkins Co., Inc., for furnishing sign posts; awarding contract, authorizing and directing City Manager to enter into and execute on behalf of the City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

At this point, the Vice Mayor explained to the visiting students the Council's system of voting.

Report of Purchasing Agent, approved by City Manager, on low bid of O. O. & R. E. Maurer, for construction of comfort station in Balboa Park near Sixth Avenue and Nutmeg Street - \$15,155.00; 6 bids - was presented.

RESOLUTION 137308, accepting bid of O. O. & R. E. Maurer for construction of comfort station; awarding contract; authorizing and directing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Pace Construction Company for construction of Storm Drain in Block 28 Fairmount Addition to City Heights - \$2,498.56; 6 bids - was presented. Report says that low bid is 7.9% below the estimate.

RESOLUTION 137309, accepting bid of Pace Construction Company for construction of Storm Drain; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of the City of San Diego contract pursuant to specifications and drawings on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.



1/17/57

RESOLUTION 137310, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Copper Tubing and Fittings, Document 546647, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, reporting that the Commission held a hearing on proposed tentative map of The Lareau's Building Site, a 3-lot subdivision of portion Pueblo Lot 174, was presented. It states that property is located on easterly side of Armada Terrace (unimproved) and northerly of Rogers Street (improved); is a little over 5700 square feet and conforms to R-1 zoning of the area.

Councilman Williams, as Vice Mayor, reported that he "had heard nothing against" (the subdividing of the property), but that it does not conform to others.

Harry Haelsig, Planning Director, reviewed the property from a map he showed to members of the Council.

There was discussion between Councilman Kerrigan and Mr. Haelsig about there being no sidewalks.

Mr. Haelsig said that there is "an unpaved segment".

Councilman Burgener recommended that the subject go to conference.

The Vice Mayor asked the Council if it wants to hear this subject.

Mr. Lareau appeared, and said that he can answer questions. He reviewed existing conditions, and showed the Council floor plans, proposed.

Councilman Schneider said that he wants to see the property.

Mr. Lareau laid a plat on the Council's table.

Mr. Haelsig showed photos of the area.

Councilmen looked at a map.

The Vice Mayor said that he would oppose this now - without improvements.

Ernest Schiefer, 3016 Rogers Street, appeared to be heard. He told of having lived in the area 19 years, and of there being "certain section on 1 side of the street that goes into a canyon. He said that parts have no sidewalks; it is "a dump hole now". Mr. Schiefer said that he turned Mr. Lareau down, but that he was impressed by his sketches. He said it would improve the property, which is a natural drain. He said that it would increase his value - including the whole neighborhood. He told of a petition of approval, and of willingness to explain the situation to the Council, on the ground.

Councilman Schneider moved to continue the item.

Councilman Burgener stated that he would look at it before next Tuesday.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was continued 1 week.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Mission Village Unit 2, subject to posting of a bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 137311, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Case Development Company, a corporation, for installation and completion of unfinished improvements and setting of monuments required for Mission Village 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 Kerrigan, adopted.

RESOLUTION 137312, adopting Map of Mission Village Unit 2, being a subdivision of portion Lot 40 Rancho Mission of San Diego; accepting on behalf of the public Gramercy Drive, Lassie Lane, Skipper Street, Mobley Street and Pasternack Place, and easements shown for sewer, water, drainage and public utilities, for public purposes; declaring them to be dedicated to

1/17/57

public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that the Council has approved the subdivision map and that streets and easements shown 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, California, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Record of Survey for resubdivision of Lots 1 and 2 Block 50 Roseville and portion northeasterly 35 feet Emerson Street Closed - a 2-lot resubdivision, in lieu of a final subdivision map - was presented.

RESOLUTION 137313, approving filing of record of survey map - Lots 1 and 2 Block 50 Roseville and portion Emerson Street closed, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of revised tentative map of Vista Bahia Unit 1, approved by Resolution 133718, subject to conditions of that resolution, together with suspension of portion of Municipal Code, was presented. It says "basically the only changes are: that an alley has been added at the back of the lots on McGraw Street and that a turnaround has been installed in the middle of the block as requested by the Planning Department".

RESOLUTION 137314, approving tentative map of Vista Bahia Unit 1, located on easterly side of Morena Boulevard, south of Bay Park Vista; suspending portion Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

There was listed on the calendar communication from Harry C. Haelsig, Planning Director, reporting on communications from property owners requesting deletion of the Public Assembly Facilities site from the Master Plan of Public Buildings for the City of San Diego (the downtown site located between 1st and 3rd, Ash and Cedar; defeated at the November 6, 1956 election), was presented. It outlines the several sites which have been proposed, and many of them voted upon. The site referred to was adopted and incorporated in the Master Plan of the City by Ordinance 6807 (NS) on January 3, 1956, after study and recommendation by Stanford Research Institute.

On motion of Councilman Burgener, seconded by Councilman Evenson, hearing was set for 3 weeks - February 7, 1957 - on the matter of deletion of the Public Assembly Facilities Site from the Master Plan of the City.

Communication from the Planning Director, notifying the Council of expiration of term of Paul V. Borgerding as member of the Board of Architectural Review, was presented. It says that appointment of a new member, or possible reappointment, will be for 3 years.

RESOLUTION 137315, appointing Paul V. Borgerding as a member of Board of Architectural Review, to succeed himself, which term expired January 5, 1957, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communications

137313 - 137315

Communication from Planning Commission, by P. Q. Burton, recommending approval and acceptance of offer to dedicate areas for opening of triangular portions of Balboa Avenue in order to straighten alignment of the street, just easterly of Clairemont Drive, was presented. It says that all departments have recommended approval and acceptance of the offer (which is from Union Title Insurance and Trust Company), and that the Planning Commission voted 6-0 that offered dedication be dedicated.

RESOLUTION 137316, accepting offer to dedicate areas for opening of triangular portions of Balboa Avenue, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Assistant City Manager, reporting on communication from First Baptist Church of Cabrillo Heights requesting that the City sell to them a church site of at least 1 acre in Lot 23 or Lot 33 New Riverside. It recommends that request be not granted, and it says "it would appear to us and we have suggested this to Reverend Williams, that with the large amount of subdivision activity now taking place in the Cabrillo Heights area, that it would be possible for the church to locate and acquire a suitable site in one of these new subdivisions"(not owned by the City).

On motion of Councilman Kerrigan, seconded by Councilman Evenson, the request and the report were filed.

Communication from San Diego City-County Band & Orchestra Commission, 200 Civic Center, by Cletus W. Gardner, dated January 14, 1957, requesting approval of 4 music events, was presented.

RESOLUTION 137317, approving music program submitted by City-County Band and Orchestra Commission, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from California Municipal Utilities Association, 108 City Hall, Pasadena, California, January 10, 1957, signed by F. V. Frey, Secretary, was presented.

It announces 25th annual conference to be held February 19-22, 1957, in Palo Alto.

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

Communication from George H. Hammon, 1212 Johnson Ave., San Diego 3, dated Jan. 9th, 57 - addressed to "Street, Road & Sidewalk Maintenance Dept., Civic Center", was presented.

It tells of breaks in the sidewalk on University Avenue and on 5th Avenue, in the Hillcrest area.

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

Communication from San Diego County and Municipal Employees, Local 127, Hillcrest Station Box 51, San Diego 3, dated January 14, 1957, signed by Otto W. Hahn, was presented. It requests the establishment of a Health and Welfare Plan for City employees effective July 1, 1957.

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

1/17/57

Communication from San Diego Floral Association, Park Administration Building, Balboa Park, San Diego, dated January 11, 1957, by Jean U. Kenneally (Mrs. Joseph J.), president, 2260 Catalina Blvd., San Diego 7, was presented. It expresses endorsement of proposed development of City park presently known as "Soledad Terrace", and requests that name be changed to "Kate Sessions Park", and outlines the reasons. On motion of Councilman Kerrigan, seconded by Councilman Schneider, it was filed.

Communication from Mrs. J. B. Dalton, corresponding secretary, Silver Gate P.T.A., dated Jan. 11, 1957, stating that at a special meeting on Jan. 8, 1957, the Board adopted a resolution favoring installation of sidewalks in Chatsworth Estates and recommending that the City Council take action necessary to accomplish such installation, was presented.

The letter was read to the Council by the Clerk.

Councilman Schneider moved that this be referred to "the hearing" (the hearing on 1911 Act improvement).

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

Communication from Henry V. Tibbetts, 4749 Brighton Avenue, San Diego 7, dated 10 January 1957, was presented. It is headed "Regarding public ownership and operation of busses in San Diego". The communication refers to news clipping of 12/21/56 in which Aaron Reese, assistant city attorney, made statements. It says that "if the property owners of San Diego are to be taxed in any way it certainly should not be passed (referring to a bill in the legislature to create a San Diego Transit Authority). It also encloses a San Francisco newspaper note about cost to taxpayers in that city of over 3 million dollars last year, etc.

The communication was read to the Council by the Clerk.

Councilman Schneider moved to refer the communication to the City Attorney for reply.

There was discussion between members of the Council on the subject.

On motion of Councilman Schneider, seconded by Councilman Evenson, it was referred to the City Attorney for reply, by the following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Evenson. Nays-Councilman Williams. Absent-Councilman Curran, Mayor Dail.

Communication from Town & Country Development, Inc., by Charles H. Brown, pres., appealing from City Planning Commission's ruling on cast #941, "due to the voting being non-committal at 6 to 3", was presented. It was in connection with conditional use permit request for service station as a part of the hotel development (in Mission Valley).

The Clerk said that the earliest date on which a hearing could be held would be January 31.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, a hearing was set for Thursday, January 31, 1957.

The next item had been continued to this date from an earlier meeting of the Council.

RESOLUTION 137318, approving proposed construction of a U. S. Army Reserve Training Center located at Linda Vista Road and Genessee Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that location is proposed; approval of the City would be necessary; City Planning Director and City Manager have examined and approved the site.

RESOLUTION 137319, declaring an intersection stop: India Street and Beech Street, affecting eastbound and westbound traffic on Beech Street, and affecting southbound traffic on India Street; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137320, authorizing City Manager to accept work on behalf of The City of San Diego in Regency Park Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137321, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego, with Bollenbacher & Kelton, Inc., a corporation, and Heron Corporation, a corporation, called subdivider, subdivider of Allied Gardens Unit 10, providing for installation of mains and appurtenances larger than necessary for the subdivision, but required by the City, and for reimbursement by the City to the subdivider of \$2483.03 covering difference in cost between water mains and appurtenances required by the City to be installed, upon execution and delivery to the City of Quitclaim Deed conveying to the City all right, title and interest of subdivider in and to water distribution system in Allied Gardens Unit 10 subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137322, authorizing and empowering City Manager to execute, for and on behalf of the City, and forward to Division of Highways of Department of Public Works, State of California, agreement with State of California, designated "Utilities Agreement No. 6714, Road XI-SD-2-SD", Document 546778, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137323, authorizing and empowering City Manager to execute, for and on behalf of the City, amendment to lease agreement entered into December 21, 1954 with Neil N. Russell, Rose M. Russell, Lewis H. Henderson and Mary E. Henderson, Lessees and on file in office of City Clerk, for golf driving range and professional shop at Balboa Park Municipal Golf Course, Document 546779, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 137324, authorizing and empowering City Manager to negotiate with Crown Air Charter, Incorporated, for amendment to leases with The City of San Diego of buildings Nos. 114, 119 and 120 at Montgomery Airport, for permitting Lessee to sublease portion of leased property to Consolidated Airport Corporation to provide storage of aircraft parts, equipment, tools and materials incidental to manufacture of aircraft, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 137325, authorizing City Manager to employ V. R. Dennis Construction Company to perform work in connection with previous contract for improving 52nd Street under 1911 Street Act proceedings, cost not to exceed \$171.89, to be payable from Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

1/17/57

RESOLUTION 137326, authorizing City Manager to employ Griffith Company to perform work in connection with previous contract for improving portions of Montalvo Street, Mentone Street, Clovis Street, Camulos Street and Valeta Street under 1911 Street Act proceedings, cost not to exceed \$204.44, to be payable from Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 137327, authorizing City Manager to employ Griffith Company to perform work in connection with previous contract for improving Morena Boulevard, Paul Jones Avenue, et al, in American Park Subdivision under 1911 Act Proceedings, cost not to exceed \$580.00, to be payable from Ordinance 5341 (New Series) was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 137328, authorizing City Manager to employ Griffith Company to perform work in connection with previous contract for improving portions of West Point Loma Boulevard and Muir Avenue, under 1911 Street Improvement Act Proceedings, cost not to exceed \$893.04, to be payable from Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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RESOLUTION 137330, approving request of V. C. Moffitt & Company, January 4, 1957, change order 1, for extension of 30 days to and including February 10, 1957, Document 546783, in which to complete contract for South Clairemont Park Sprinkler System, contract Document 540799; extending time of completion to February 10, 1957, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

+ RESOLUTION 137329, approving request of O. O. & R. E. Maurer, November 15, 1956, change order 3, for extension of 14 days to and including November 30, 1956, Document 546782, in which to complete contract for comfort station at Kellogg Park, contract Document 538352; extending completion time to November 30, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 137331, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against property described as southwesterly 5.00 feet Lots 4 and 5 Block 43 Paradise Hills Unit 3, excepting portion, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; and authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman/Schneider, adopted.

Kerrigan, seconded by

RESOLUTION 137332, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portions Lots 3 and 4 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 of said property 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 Kerrigan, seconded by Councilman Schneider, adopted.



RESOLUTION 137333, 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 and 4 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 of said property 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 137334, 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 5 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 of said property 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 137335, approving claim of Joe F. Hill, Document 545771; authorizing Auditor & Comptroller to draw warrant in favor of Joe F. Hill, 2410 Island Avenue, San Diego, in amount of \$99.52, in full payment of the claim, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 137336, authorizing City Attorney to settle \$194.38 claim of Clyde H. Giddings, Document 515916, for sum of \$10.85; directing Auditor & Comptroller to draw warrant in favor of Robert Thorn, attorney, 1434 Fifth Avenue, San Diego 1, in full settlement of the claim, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 137337, denying claim of Bobby Ray Bartlett, U.S.N.T.C. Medical 9526, San Diego 33, Document 546011, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 137338, denying claim of Hardware Mutuals Insurance Co., for Karl Kachigan, 735 State Street, Santa Barbara, California, Document 545831, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 137339, authorizing Paul Beermann, Director of the Water Department, to travel to San Antonio, Texas, ~~to travel to San Antonio, Texas, to confer with Southwest Research Institute relative to evaporation loss from reservoirs, and incur all necessary expenses, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.~~ to confer with Southwest Research Institute relative to evaporation loss from reservoirs, and incur all necessary expenses, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 137340, authorizing 2 representatives of the City

1/17/57

Manager's Office to attend the spring meeting with City Managers' Department of the League of California Cities, Palo Alto, California, February 13 through 15, 1957, and incur all necessary expenses, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 137341, 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 James B. Daugherty, Jr. and Geraldine June Daugherty, Lots 41 and 42 Block 4 Bungalow Park; authorizing and directing City Clerk to deliver quitclaim deed to Property Supervisor with instructions that it be deposited in escrow opened for purpose of carrying out exchange, together with \$1,106.00, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The Resolution says that The City of San Diego is desirous of acquiring portion of Lots 22, 23, 24 Block 249 San Diego Land and Town Company's South Chollas Addition, in connection with South Chollas Creek Channel; James B. Daugherty, owner of the property, is willing to exchange with the City for quitclaim deed from the City to Lots 41 and 42 Block 4 Bungalow Park, and payment by the City of \$1,106.00; value of Daugherty property is \$1,356.00; value of City property is \$250.00.

RESOLUTION 137342, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, quitclaim deed quitclaiming to Drake Factors Co., Inc., a California corporation, 1421 B Street, San Diego, Lot 10 and southerly 112 feet Lot 9 David's Subdivision; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be placed in escrow opened for purpose of effecting exchange, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

The Resolution says that The City of San Diego is desirous of acquiring Lot 11 David's Subdivision for public purposes; Feller Construction Company, d/b/a Drake Factors Co., Inc., are willing to deed property to the City in exchange for quitclaim from the City to Lot 10 and southerly 112 feet Lot 9, and payment by the company to the City of \$6,800.00; value of property to be granted to the City is \$43,200.00; value of City property is \$50,000.00.

RESOLUTION 137343, accepting deed of Isabel Bedford, December 10, 1956, conveying easement and right of way for public sewer and storm drain, or drains and appurtenances, in northerly 10.00 feet of easterly 119.00 feet Lot 28 Oak Park Annex; authorizing and directing City Clerk 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 137344, accepting quitclaim deed of Bollenbacher & Kelton, Inc., a corporation, and Heron Corporation, a corporation, executed 26th day of December, 1956, quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, located in public street, rights of way, highway and public places, either within or without subdivision named Allied Gardens Unit 10, being a subdivision of portion of Lot 64 and of Lot 65 Rancho Mission of San Diego; authorizing and directing City Clerk to file deed together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137345, accepting quitclaim deed of Hamilton Cattle Company, a New Mexico Corporation, December 20, 1956, 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 Neptune Estates, being portion of unnumbered tract south of Sea Lane, west of Monte Vista Avenue and north of Arenos Street, formerly Playa de Los Arenas Avenue, known as Playa de las Arenas, and portion of unnumbered tract south of Arenas Street, formerly Playa de las Arenas Avenue and west of Monte Vista Avenue, known as Fern Glen, situated in First Addition to south La Jolla; 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 137346, accepting quitclaim deed of Mary Louise Page, executed 4th day of January, 1957, 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 Village Unit 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137347, accepting quitclaim deed of Saxon Development Company, a corporation, executed on 26th day of December, 1956, 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 Westridge Unit 1, being subdivision of portion Pueblo Lot 1241; 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.

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 passage written or printed copy.

ORDINANCE 7289 (New Series), amending Sections 26.80 and 26.81 of San Diego Municipal Code establishing Mission Bay Commission and providing for powers and duties, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays-None. Absent-Councilman Curran, Mayor Dail.

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

ORDINANCE 7290 (New Series), approving annexation to City of San Diego of certain uninhabited territory in portion of Lot 17 Partition of Rancho Mission of San Diego, in the County of San Diego, State of California, known and designated as "Demers' Tract Annexation", was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays-None. Absent-Councilman Curran, Mayor Dail.

1/17/57

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 passage written or printed copy..

ORDINANCE 7291 (New Series), establishing 8-foot setback line on east side of Norm Street between San Vicente Street and Leucadia Avenue, on Lots 573 and 647 Lomita Village Unit 4, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays-None. Absent-Councilman Curran, Mayor Dail.

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 passage written or printed copy.

ORDINANCE 7292 (New Series), amending Sections 41.32 and 42.0105.1 of San Diego Municipal Code, regulating coin operating bulk milk dispensing machines, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays-None. Absent-Councilman Curran, Mayor Dail.

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

ORDINANCE 7293 (New Series), appropriating \$24,700.00 out of Capital Outlay Fund, for construction of Garage and Storage Building at Mt. Hope Cemetery, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays-None. Absent-Councilman Curran, 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 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 passage written or printed copy.

ORDINANCE 7294 (New Series) appropriating \$16,700.00 out of Capital Outlay Fund for constructing comfort station and storage room in Balboa Park near 6th (Avenue) and Nutmeg Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays-None. Absent-Councilman Curran, Mayor Dail.

In connection with the next ordinance, Vice Mayor Williams said that the Council would be "adopting in principle".

Ordinance adopting Master Plan for Parks and Recreation in The City of San Diego, California, was introduced, on motion of Councilman Schneider, seconded by Councilman Kerrigan, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays-None. Absent-Councilman Curran, Mayor Dail.

1/17/57

Ordinance amending Chapter II, Article 7, Division 13, of San Diego Municipal Code, by amending Section 27.1327 relating to Special Elections resulting from Initiative Petitions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays-None. Absent-Councilman Curran, Mayor Dail.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, ordinance amending Article 2, Chapter IX, of San Diego Municipal Code by renumbering existing Section 92.0403 and adding Section 92.0403, Regulating Fees for Electrical Permits (existing 92.0403 is to be renumbered 92.0405), was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays-None. Absent-Councilman Curran, Mayor Dail.

Councilman Kerrigan requested, and was granted, unanimous consent to present the next item, not listed on the agenda. Mr. Kerrigan said that he wanted the Council to take action on appointment of Wm. Berry to the Board of Zoning Appeals.

A communication from Mayor Dail, dated January 16, 1957, on the subject, was presented. It identifies Mr. Berry as an architectural draftsman in business for himself, who has been active in civic affairs, and is past president of East San Diego Chamber of Commerce.

RESOLUTION 137348, approving and confirming appointment by the Mayor of William C. Berry as a member of the Board of Zoning Appeals, to fill unexpired term of Luther C. Russell, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Vice Mayor Williams requested, and was granted, unanimous consent to present for Mayor Dail the Mayor's recommendation for appointment of Arthur W. Carey, president of University Motors; and Herbert G. Baker, business agent, Painters, Decorators & Paperhangers of America, Local #333.

There was much discussion, which hinged around advisability of appointing one of the members. Notes for the discussion are in the file.

Councilman Schneider moved to continue this item until the next regular meeting (Tuesday).

The Vice Mayor said that the appointments could be acted upon separately.

Councilman Evenson seconded the motion to continue the item.

On motion to continue the item until Tuesday of next week - January 22, 1957 - the roll call showed the following: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays-Councilman Williams. Absent-Councilman Curran, Mayor Dail.

The class president of the visiting students thanked the Council in behalf of the visitors for their appearance at this meeting. He asked for clearer speech on the part of the Councilmen.

The Council Secretary returned from Conference communication from San Diego Taxpayers' Association, by John C. Leppert, manager, dated January 8, 1957. It was filed by the Clerk.

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned at 11:20 A.M.

ATTEST:  
FRED W. SICK, City Clerk

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

Deputy

Ords intr.  
137348 - U.C.

Discussion on U.C. item (no Res adopted)  
Meeting adjourned

1/22/57

## REGULAR MEETING

Chamber of the Council of The City of  
San Diego, California, Tuesday, January  
22, 1957

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

Absent--None

Clerk---Fred W. Sick

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

The Mayor introduced the Reverend Robert Nagler, Assistant  
Pastor, St. Charles Borromeo Church. Father Nagler gave the invocation.

Ordinances and Resolutions for this meeting are recorded on  
Microfilm Roll 124.

The Mayor welcomed a group of new City employees.

Minutes of the Regular Council Meetings of Tuesday,  
January 15, 1957, and of Thursday, January 17, 1957, were approved without  
reading, on motion of Councilman Kerrigan, seconded by Councilman Schneider.  
They were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, time set  
for hearing on Resolution of Intention 136785, for paving and otherwise  
improving Alley Block 29 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 protests were filed.

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

The hour of 10:00 o'clock A.M. having arrived, time set  
for hearing on Resolution of Intention 136781, for paving and otherwise  
improving Alley Block 269 Pacific Beach, Ingraham Street, the Clerk  
reported no protests.

The Mayor inquired if anyone was present to be heard.

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

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

The hour of 10:00 o'clock A.M. having arrived, time set  
for hearing on Resolution of Intention 136787, for paving and otherwise  
improving Alley Block 299 Pacific Beach, the Clerk reported no protests.

Meeting convened  
Invocation  
New employees welcomed  
Hearings



The Mayor inquired if anyone was present to be heard.  
 No one appeared to be heard, and no protests were filed.  
 On motion of Councilman Williams, seconded by Councilman 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 136788, for grading and sidewalk portions of Point Loma Avenue, Santa Barbara Street, Bermuda Circle, Savoy Circle, Venice Street, Alexandria Drive, and Pescadero Avenue, the Clerk reported written protests from Margaret Ann Jensen, Grant Hamilton, Benj. N. Rottman, and others.

Councilman Burgener asked "what does the record show"?  
 The City Engineer said that there is a 78% protest within the district.

Councilman Burgener said that there is no need for a hearing, but there is no objection to making statements.

Mayor Dail said that the traffic and safety was gone into at the last hearing, on the debt limitation hearing. He said there "is a vast majority of protest".

The Mayor invited interested property owners to be heard.  
 Bob (H. Robert) Beitcher, 1469 Savoy Circle, told the Council that he has 2 children. He read a long petition, signed by many individuals, protesting the construction of sidewalks "on our properties for the following reasons" (there are 8 of them). He asked opponents to rise. Nearly the full Council chamber did. He showed a map, which he explained. Mr. Beitcher said the owners "feel grossly discriminated against". He continued to read his protest, and passed around photos regarding use of "white line".

Marion Lewis, on Pescadero Avenue, in the district, appeared but was not heard at this time.

The Mayor said that this "involves an awful lot of precedent through policy". He said that it would be a dangerous precedent to override the vast majority, but the Council would be glad to hear people involved.

Mr. Lewis said that he "thought this meeting was to establish a policy".

Mayor Dail said that this is under terms of 1911 Act, and not applicable, as in sewer districts. He said that the Council has 1 duty: to sustain, overrule, or abandon.

Mr. Lewis said that it is a tough decision to make: some people have refrained from getting involved.

The Mayor pointed out that the Council is holding this hearing under the 1911 Act. He told of the Council having politely heard from people concerned regarding safety of school children. He said he is concerned, too. "This is under the law", the Mayor said.

Mr. Lewis asked if the question of safety was not under consideration.

The Mayor's reply was "not now".

Councilman Williams said that he had lived a little closer to this than most members of the Council. He stated that "it is only right to honor the protests". He said that property owners in the area should be evaluated regarding children. He said that it is not the Council's problem regarding safety. He asked that property owners look at the clearing of rights of way across their yards. He said "the City will probably remove the stripes in the street".

Councilman Williams moved to abandon proceedings. Councilman Burgener seconded the motion.

Councilman Burgener spoke to Mr. Lewis "about the facts". He said that all (members of the Council) have seen the area; it is a time-honored tradition in this country about the majority rule. He spoke of responsibility being transferred to property owners.

Mr. Lewis then passed around photos.

Councilman Burgener said that "it is a hazard".

1/22/57

The Mayor said "the Council has overridden sewer protest (majority); this does not come in that category".

Asked a question, Aaron Reese, Deputy City Attorney, said that every act comes under the police power. He said that any of Council's acts could be upheld.

Councilman Curran said that there is a dual responsibility, and that the people should have rights in the proceedings.

RESOLUTION 137349, sustaining protests of Margaret Ann Jensen, Grant Hamilton, and others, against improvements in Point Loma Avenue, Santa Barbara Street, Bermuda Circle, Savoy Circle, Venice Street, Alexandria Drive, Pescadero Avenue, Resolution of Intention 136788; abandoning proceedings, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 137350, requesting the City Attorney to give the Council an opinion regarding legal liability in connection with "painted sidewalks" on streets in the vicinity of the Silvergate Elementary School, in connection with proposed proceedings for construction of sidewalks in portions of Point Loma Avenue, Santa Barbara Street, Bermuda Circle, Savoy Circle, Venice Street, Alexandria Drive, and Pescadero Avenue, 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 Resolution of Preliminary Determination for removing certain existing street light standards and appurtenances; constructing street light standards and appurtenances in 7th Avenue, 8th Avenue, 9th Avenue, 10th Avenue, between B Street and Broadway; similar work in 12th Avenue between Russ Boulevard and Broadway; and portions of B and C Streets, the Clerk reported written protests from James Hervey Johnson, Irene Place Choate, C. F. Hoffman; Thomas J. Allison, Florence S. Allison, James Hervey Johnson; Clinton B. Smith, William Manos.

The City Engineer, asked for a report, said there was a 5.3% protest.

James Hervey Johnson told the Council that "the district was divided into sections; 19 people signed in favor, out of 120 property owners".

The City Engineer, giving an oral report, said that the district was ordered by the Council, in answer to a question put by the Mayor.

Mr. Johnson said that proceedings were abandoned; property owners were thrown off the track. He said it was thought that the lights would be put in, and paid for, by the people who want them. He identified his property, and that owned by others. He told of having talked to several who don't want the lights. He said many thought notices on the existing standards were for furnishing light in those standards. Mr. Johnson said he "did not find a single person who favored" (the present proceedings). He told the Council that he is interested in, and represents other interests in other property. He said he "and his partners don't want it". He stated that they are "already soaked for storm sewers, and are over-assessed". He told of having huge investment, that if a benefit he would favor it, as he has favored many developments. He pointed out that this proposal was promoted for a specific kind of standards: Union Metal. He said that he does not favor specific kinds presented in a petition. He said there should be a type, but not a special kind. He said to the Council that this petition had been promoted because of a friendship (by the petition circulator) with the Gas Company, who is a former Gas Co. employee. He started to say "some downtown, central portion...(but did not finish).

Mayor Dail talked to Mr. Johnson about the petitions and the specifications.

The City Engineer pointed out that "it is in the specifications; not in the petition".

The Mayor then said to Mr. Johnson that "it is in the specifications".

Mr. Johnson stated that with the type specified, the manufacturer specified is given a monopoly. He said that most of the 19 (which he changed

to 16) - apparently referring to signers - were in downtown districts that would profit; businesses, at night. He said that his district has not developed to the point of benefit. He said that when there is a benefit, he would favor the improvement. Mr. Johnson said "the rest of the district does not want (these lights). He stated that the lights there now are good enough; they are for the general public, not for the district. He said "those who want them; 4, 5, 6, 7, let them have it, but not this". He charged that additional burdens are strong cause for deterioration, because property owners can't use their money for improvements. He said "if from 8th to 12th and on 12th between A and B...don't want it". He said that if those between 8th and 12th were were given information they would object.

Councilman Kerrigan pointed out to Mr. Johnson that this is a debt limitation hearing; owners will have the opportunity to protest the improvement at another hearing.

Mr. Johnson said that property owners do not have enough valuating going by the notices that were put up.

Councilman Kerrigan discussed with Mr. Johnson the debt limitation.

Councilman Schneider spoke to the City Engineer about the easterly area being disinterested.

The City Engineer showed the Council a ~~dia~~gram, on which was shown the protestants.

Councilman Evenson spoke to the City Engineer about the number of property owners in the district.

The City Engineer said there are 5.3% protest; there are 173 parcels; 9 protested.

Councilman Evenson had a discussion with the City Engineer. The Mayor joined that discussion, and said that Mr. Dellman circulated the petition.

G. H. P. Dellman, to whom the Mayor referred, came to the microphone.

Mr. Johnson said that there is 5% objection; there would be more than 20; 19 signed.

Mr. Dellman said that Mr. Johnson is in error; he saw only a portion of the petitions; there were others; there were more. He spoke of having got out a petition, first, to 10th, and of working under the Downtown Association sponsorship, as civic interest. He told of having been with San Diego Gas & Electric Co. and with General Electric. Then, he said he had a great majority petition on Broadway, and that after others saw the benefit on Broadway, he was asked to continue. He told of his past petition activities. He stated that the Council initiated "this so-called 4 district". He pointed out that the larger owners have signed. He said proceedings were abandoned, and a district created as a whole. He spoke of the much out-dated lights which exist. He said that those who have the new lights are happy with them. He told about the Johnson property. He told the Council that he "had no fish to fry". He referred to the Johnson letter sent to property owners, and misstatements made. He said he resents inferences.

Councilman Schneider, speaking to Mr. Dellman, asked who delineated the district.

Mr. Dellman's reply was that he had nothing to do with the district.

Councilman Curran asked Mr. Dellman how he was compensated.

The reply was "by Union Metal". Mr. Dellman said that he is retired, and that he was not willing to spend his own money on the project. Then, he told of being a registered electrical engineer.

The Mayor spoke of electrical monopoly here, and said "this is an essential monopoly".

Mr. Dellman stated that the City Engineer has saved property owners much, by conversion of existing improvements.

Councilman Kerrigan was excused

Mr. Dellman continued by saying that "saving on Broadway was great". He agreed that this does not apply in this case, because these are

concrete standards. He agreed that the cost would be higher than on Broadway. He said that Mr. Johnson had disputed with him, and there had been no high pressure selling.

Councilman Kerrigan returned

Mr. Dellman continued to review his interviews with Mr. Johnson.

Mr. Johnson said "it is a matter of a great deal of consequence". He continued to talk, about prices and ability to bear expense. He stated that the district is not suffering from lack of light; it is sufficient. He said the lights should be put in where wanted, and dropped on the rest - until property owners petition for them. He asked for a thorough investigation of the signers and the protestants. He said that "people in the district who don't want the new lights would represent more than 50% beyond 7th or 8th".

Mayor Dail said that the point remains that there is a 5.3% protest, and there is still plenty of opportunity for a protest".

The Clerk read to the Council the names on the written protests.

Councilman Burgener spoke to Mr. Johnson, who replied that "it is a promotional scheme"; the district is not yet right for the development; "this is not warranted".

Sherman Lacy, property owner on east side of 12th Avenue between B and C, was heard. He contended that property owners should receive consideration for the lights which have been furnished for years. He said that the necessity has been taken care of by the present lights, and that the proposed lights are a luxury.

Councilman Kerrigan repeated that this hearing is on the 6-vote resolution of feasibility.

Councilman Curran asked if there were not a "6 vote" if this would be surveyed. The Engineer had a discussion with him.

The Mayor said that "if there are not 6 votes, this would be dead". He said that it will be clear-cut at the next hearing.

Councilman Williams said that there is opportunity for protest, and that the district could be altered.

C. F. Hoffman appeared as a protestant. He said "there is getting to be a little too much lighting district on 12th, between A and B. He told the Council of having had a 300% lighting assessment increase, and of having been informed of being assessed for lights above the traffic signals. He said he is "getting assessed to death". He objected to further assessments, and of being abused. Mr. Hoffman said he can't understand why his property is in the district. He told of not known about it until last Wednesday. He said that he "did not come down to argue, but to protest".

Councilman Schneider spoke to Mr. Hoffman about the next hearing (in Resolution of Intention), and said that obviously the property can stand the assessment.

Councilman Schneider moved to close the hearing. Motion was seconded by Councilman Williams.

Stuart Rogers, who identified himself as being with the Downtown Association, and said he understood that this was a debt limitation hearing. He spoke of great expenditures that have been made in the downtown area.

Councilman Schneider discussed the 12th Avenue area with Mr. Rogers.

Mr. Rogers said he understood that a substantial number of people in the retail section want this improvement.

Councilman Curran said the Council should abandon the proceedings; the City Engineer re-design to satisfy both sides.

The Mayor said that there is a motion (on which roll had not been called).

The motion was put, and the ~~her~~roll was called; and the hearing closed.

Councilman Curran moved to abandon proceedings. Motion was seconded by Councilman Schneider.

Councilman Williams said that would not be in the interest of the majority; there is a small protest.

Councilman Schneider spoke of policy having been determined.

Roll was called on the motion to abandon the proceedings.

It follows: Yeas-Councilmen Schneider, Curran. Nays-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Absent-None.

Motion was made to adopt the "6-vote" resolution of feasibility

It follows: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-Councilmen Schneider, Curran. Absent-None. (It lost, inasmuch as it did not receive the 6 votes on feasibility.

Mr. Reese said that "at this point....." (but did not complete his statement).

John Thornton, formerly of the City Attorney's office, and who had handled the City's street proceedings for that office, was asked his opinion. He replied that this is "automatically a debt limitation proceeding" (as result of failure to receive 6 votes).

Councilman Williams asked if it would not add to the expense to go into the debt limitation.

The question was not answered.

Councilman Schneider moved to reconsider the action, in view of his vote. Councilman Curran, the other dissenter, seconded the motion.

RESOLUTION 137351, overruling and denying protests of James Hervey Johnson, Irene Place Choate, C. F. Hoffman, Clinton B. Smith, William Manos, Sherman Lacy, against proposed removal of existing lighting system and installation of new street lighting system complete on 7th Avenue, 8th Avenue, 9th Avenue, 10th Avenue, 11th Avenue, 12th Avenue, B and C Streets, under Resolution of Preliminary Determination 136919; overruling and denying all other protests, was adopted, on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 137352, determining that removal of existing lighting system and installation of new street lighting system complete on 7th Avenue, et al., under Resolution 136919 of Preliminary Determination, is feasible and that lands to be assessed will be able to carry burden of proposed assessment; 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 Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 136920 for paving and otherwise improving Santa Margarita 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 137353, determining that paving and otherwise improving Santa Margarita Street, Resolution of Preliminary Determination 136920 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 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 (continued from meeting of January 15, 1957), on Assessment for paving and otherwise improving Sterling Court, Landis Street, Rex Avenue, 50th Street, et al., the Clerk reported 2 written appeals, which had been presented at the first hearing.

The Mayor inquired if anyone was present to be heard.



Mrs. Crosby Milne asked about the correction, and asked to have them reviewed.

Willard Olson, of the City Engineer's office, went over the assessments with Mrs. Milne, who said that she was satisfied.

Mr. Olson said that the assessments are right.

RESOLUTION 137354, confirming and approving Street Superintendent's modified and corrected Assessment 2556 made to cover costs and expenses of 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; 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 Williams, 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 installation of sewers in Alley Block 1 Buena Vista Tract, and 42nd Street, Resolution of Intention 131053, 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 137355, confirming and approving Street Superintendent's Assessment 2558 made to cover cost and expenses of installing sanitary sewer in Alley Block 1 Buena Vista Tract, and 42nd Street, Resolution of Intention 131053; 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 Curran, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Einer Brothers, Inc. for removal of Limestone Sludge from Water Department Sludge Drying Bed - \$5,476.96; 4 bids - was presented.

RESOLUTION 137356, accepting bid of Einer Brothers, Inc. for removal of limestone sludge from Water Department sludge drying bed; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

In connection with the next item, Councilman Evenson asked if it was necessary.

It was a resolution approving plans and specifications for furnishing all material, etc., for preparation and painting exterior surfaces of Balboa Bowl in Balboa Park, Document 546781, and authorizing Purchasing Agent to publish notice to contractors calling for bids.

Councilman Kerrigan moved to continue the resolution 1 week.

Acting City Manager E. W. Blom said that this is a "regular routine maintenance".

On motion of Councilman Evenson, seconded by Councilman Kerrigan, the resolution was continued 1 week.

RESOLUTION 137357, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for installation of Acoustical Material to Ceiling and Walls of Linda Vista Community Building, 7048½ Levant Street; Document 546780; authorizing and directing Purchasing Agent to publish notice



to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending reapproval of tentative map of Adelaide Addition - approved by Resolution 131387 on February 16, 1956; the 4-lot subdivision of portion Lot 9 Lemon Villa and portion Lot 8 Arboles, is located at west end of Adelaide Avenue south of El Cajon Boulevard.

RESOLUTION 137358, reapproving tentative map of Adelaide Addition, subject to all conditions of Resolution 131387, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Richard L. Weiser, for the Planning Commission, reporting on communication for subdivider's engineer requesting that 10-foot dedication required as condition of approval in Bellevue Terrace Unit 1, along westerly line of La Jolla Mesa Boulevard, be omitted, was presented. It says that the tentative map was approved on September 25, 1956, by Resolution 135331. The report says that the subdivider contends the city will never be able to acquire the 10-foot strip adjacent to Lot 19 Block 3 Buena Vista Tract, which is to the south; however the Commission noted that the residence on the property has frontage on Van Nuys Street where parking can be provided in front of the residence, whereas, the proposed lots in the subject subdivision front on La Jolla Mesa Boulevard, which is a major street. It reports that the Commission felt that the 10 feet should be required in order to provide for usual parking in front of the houses; otherwise the city will be forced to place parking restriction adjacent to the lots and restriction would be a future police problem. It states that after considerable discussion January 9, 1957, the Commission voted 6-0 to deny the request.

Councilman Schneider moved to adopt the resolution (of denial).

Ed Sheets, owner of the property, came to the microphone, but did not speak at this point.

The report from Planning Commission, mentioned just above, was read to the Council by the Clerk.

Mr. Sheets told of having been working on this since last January. He said it has been subdivided; the property "behind" was a problem. He told of alley having not been closed, and of having recommended "resolution item 2" regarding garages set back. He read to the Council an unidentified document. Mr. Sheets said that the 1911 Act improvement is finished; garages will be set back. He said he got assessment last week (for the 1911 act work). He told of having agreed to offset parking. Mr. Sheets said that the only obstacle is the agreement for future widening. He said he is now surprised to find that this has been turned down, and asked to get it cleared. He referred to an Engineer's letter regarding setting back garages.

Harry Haelsig, Planning Director, said that this is one of long standing: 5 or 6 years. He said that the widening is for the major street plan. He explained from a map and said that it has been subdivided since 1800-something. He pointed out property on a map as he explained. He told of recommendation being based on major street plan "and this". He said it could be called an exchange of land.

Councilman Kerrigan said that it is an amendment of another resolution. He said there is no change in width; it is to remove the dedication. He said "the City could go in and improve".

Richard L. Weiser, Asst. Planning Director, said that the alley and the corner were closed, for this subdivision. He pointed out the area on a map, and said that "at best it is a compromise". He said it would reduce lot sizes to 4400 feet.

Mr. Haelsig told of there having been considerable discussion about widening 1 side or both.

1/22/57

Mr. Weiser spoke of having been filed as a requirement of the map.

Councilman Curran said that he had questions to ask the attorney and the builder.

Aaron Reese, Asst. City Attorney, told of having to pay, later on.

Councilman Curran asked what the difference is.

Alan Firestone, Deputy City Attorney, said there is no interest in the setback area. He said that on a setback there could be a variance (to use) but not on a dedication. He said that there could, however, be an encroachment permit. He said there is the same situation on the Silvergate (the school area on which hearing was held in connection with installation of proposed sidewalks).

Councilman Schneider moved, again, to adopt the resolution.

Councilman Burgener spoke to Mr. Sheets about the processing.

Mr. Sheets replied "years ago". He told of having a letter from Russell Hall, Asst. City Engineer and St. Superintendent. He said the City realized that the property is "an orphan". He said it was accepted. He agreed to do the recommendations..... He is stuck, now, Mr. Sheets said.

Councilman Schneider was excused.

Mr. Sheets asked if the City would approve 4500 square foot lots, by allowing 10-foot dedication.

Councilman Schneider returned.

Mr. Weiser replied that it may mean "having to skin up against the foundations", answering Councilman Burgener. He told of use below 5,000 sq. ft. having been allowed.

Councilman Williams seconded the resolution.

Councilman Burgener spoke to Mr. Sheets about getting the houses on the property. They had a discussion.

Mr. Tanner, engineer for Mr. Sheets, said that relinquishment was not part of the map.

RESOLUTION 137359, denying request from subdivider of Bellevue Terrace Unit 1, the tentative map of which was approved on September 25, 1956 by Resolution 135331, asking elimination of 10-foot dedication along La Jolla Mesa Boulevard, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

At the hour of 12:02 P.M., the Mayor declared a recess until 2:00 P.M., this date.

Upon reconvening at 2:07 P.M., the roll call showed the following:

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

Communication from Planning Commission, by Richard L. Weiser, recommending granting request for reapproval of tentative map of Cabrillo Village Unit 3, subject to conditions set forth in Resolutions 126521, 126522, 128135 and 128136 - excepting that reference to Schedule A September 1, 1951, be changed to Schedule B March 1, 1956, was presented.

RESOLUTION 137360, approving tentative map of Cabrillo Village on conditions of earlier resolutions, except change of a Schedule, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser,

Planning communications  
137359 - 137360

Meeting recessed - reconvened

recommending approval of tentative map (revised) of Harrington Hollow, subject to conditions of Resolutions 133507 and 135839, was presented.

RESOLUTION 137361, approving revised tentative map of Harrington Hollow, according to conditions of previous resolutions, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of revised tentative map of North Bonita Hills, a 214-lot subdivision of portion Lot 82 Rancho de la Nacion, subject to conditions of Resolution 134460, was presented. It says that subdivider is submitting the tentative map in order to coordinate development with Rancho Hills South Unit 2, tentative map of which has been approved.

RESOLUTION 137362, approving tentative map of North Bonita Hills (revised) subject to conditions of Resolution 134460, and 2 additional conditions, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

In connection with the next item, Councilman Curran said that he had a question.

The City Manager replied that "it is a little corner".

Communication from Street Superintendent, approved by Assistant City Manager, recommending closing portion of Balboa Avenue, as petitioned, under provisions of "Street Vacation Act of 1941", provided petitioners pay the incidental costs of closing proceedings, was presented.

RESOLUTION 137363, adopting recommendation of Street Superintendent, Document 546820, to close portions of Balboa Avenue; instituting closing under "Street Vacation Act of 1941", was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Street Superintendent, approved by Assistant City Manager, recommending closing portion Valeta Street, as petitioned, under provisions of "Street Vacation Act of 1941", providing petitioners pay incidental costs of closing proceedings, was presented.

RESOLUTION 137364, adopting recommendation of Street Superintendent, Document 546821, to close portion Valeta Street; instituting closing under "Street Vacation Act of 1941", was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from American Association of University Women, San Diego Branch, dated January 15, 1957, by Helen W. Mowers (Mrs. Gordon), program chairman, 2776 Nye Street, San Diego 11, was presented. It invites the Council to attend a meeting at the San Diego Woman's Club on January 25.

Councilman Schneider moved to request the Mayor to write (indicating that Council could not, as had been stated, attend).

On motion of Councilman Curran, seconded by Councilman Williams, the communication was filed - and the Mayor requested to write.

Communication from Ray E. Stauffer, chairman, traffic subcommittee of Balboa Park Study Committee, was presented. It suggests that local chapter of American Institute of Architects be invited to recommend placement of additional member, who should be an architect, on the Study Committee.

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

Communication from Dale S. Worm, chairman, Grantville Civic Association, expressing appreciation to the Council for its interest and attitude shown in recent zoning problem of the Grantville area, was presented. It says that the Association stands ready at any time to assist the Council in any civic matters pertaining to that area.

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

Communication from Dale S. Worm, chairman, Grantville Civic Association, telling of difficult traffic problem at corner of Mission Valley Freeway and Fairmount Extension, making it almost impossible to make a left turn to the Grantville area, was presented. It requests installation of traffic lights permitting left-hand turn without interference from oncoming traffic.

On motion of Councilman Williams, seconded by Councilman Schneider, ~~adopted~~ filed.

Communication from Hall of Fame Committee, by Mitchell Angus, listing members at himself, chairman; Judge Joe L. Shell, Wade W. Ambrose, Vincent Godfrey, Robert Breitbard, F. W. Whitney, was presented.

It requests creation of a San Diego Hall of Fame and Sports Museum in the House of Charm, Balboa Park, lists many citizens as making up the foundation. The communication lists the many San Diegans who are champions, and says that this would focus proper attention on the indisputable fact that San Diego City-County is "The Cradle of Champions".

On motion of Councilman Burgener, seconded by Councilman Schneider, it was referred to Balboa Park Study Committee.

Documents from San Diego Chapter, National Society of Professional Engineers - Resolution 1- 1957, signed by Petrus A. Carlson, P.E., President; T. A. Parker, Jr., P.E., Secretary (2 copies) - communication dated January 16, 1957, signed by George R. Saunders, president, San Diego Section, American Society of Civil Engineers - communication from Structural Engineers of San Diego dated January 16, 1957 signed by Greer W. Ferver - all having to do with recommending that local engineering firms be employed for design of proposed new sewer system, were presented.

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

Communication from San Diego Municipal Employees' Association, Inc., 3110 Goddard Way, San Diego 1, dated January 18, 1957, by Mary E. Harvey, Executive Secretary, was presented. It asks the Council to direct preparation of requirement amendment to retirement ordinance that there will be permitted deductions from retired employees' monthly ~~monthly~~ retirement checks for payment of group insurance premiums, when deduction is voluntarily requested by the employee.

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

RESOLUTION 137365, directing notice of filing of assessment 2561 and of time and place of hearing thereof, made to cover costs and expenses of work done upon sidewalks in Grape Street, Sultana Street and 54th Street, Resolution of Intention 129188, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 137366, directing notice of filing Assessment 2560 made to cover costs and expenses of work done upon 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 Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 137367, directing notice of filing Assessment 2562 made to cover costs and expenses of work done upon paving and otherwise improving Opal Street, Resolution of Intention 133055, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION OF AWARD 137368, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract, for paving and otherwise improving Alley Block 215 Pacific Beach, and Lamont Street; Resolution of Intention 135960; was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

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

RESOLUTION OF AWARD 137369, accepting bid of San Diego Gas & Electric Company for furnishing electric energy in Garnet Street Lighting District 1 for 1 year from and including February 1, 1957, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 137370, accepting bid of San Diego Gas & Electric Company for furnishing electric energy in Sunset Cliffs Lighting District 1, for 1 year from and including January 1, 1957, to and including December 31, 1957, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 137371, for paving and otherwise improving Bangor Street, Public Rights of Way, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 137372, for paving and otherwise improving Locust Street, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 137372, vacating portion Alley Moody's South Addition to Lemon Grove; directing City Clerk to cause certified copy of resolution, attested by him under seal, to be recorded in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 137374, for paving and otherwise improving Donna Avenue, and Celia Vista Drive, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.



RESOLUTION OF INTENTION 137375, for paving and otherwise improving Lillian Street, Viola Street, Gertrude Street, Bianca Avenue, Hilda Road, Ellsworth Street, Crown Street, Onstad Street, Solar Street, Brownwell Street, Knox Street, Plainview Road, Everview Road, Monitor Road, Elevation Road, Dorcas Street, Cushman Avenue, Savannah Street, Buenos Avenue; Public Rights of Way in Blocks 2 and 5 Overlook Heights, and Path in Block 2 Overlook Heights, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION 137376, for installation of sewers in Muirlands Drive, El Camino Del Teatro, El Paso Real, Lane in Lot 1 Block 16 (The Muirlands); and Public Rights of Way, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION 137377, for furnishing electric energy in Rolando Lighting District 1, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION 137378, for furnishing electric energy in Talmadge Park Lighting District 4, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 137379, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric energy in University Avenue Lighting District 2, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 137380, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 1 Ocean Spray Addition, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 137381, ascertaining and declaring Alley Block 318 Reed and Daley's Addition, 28th Street and 29th Street wage scale, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 137382, ascertaining and declaring wage scale for installation of street light standards and appurtenances in Wisteria Drive, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 137383, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 1 Reed's Ocean Front Addition, Resolution of Intention 131176, and to be assessed to pay expenses thereof; directing Clerk of the City to certify fact and date thereof, and immediately deliver it certified to Superintendent of Streets, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.



RESOLUTION 137384, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Rosefield Drive and 67th Street, Resolution of Intention 130671, and to be assessed to pay expenses thereof; directing Clerk of the City to certify fact and date thereof, and immediately deliver it certified to Superintendent of Streets, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 137385, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block J Montecello, and Monroe Avenue, Resolution of Intention 135213, and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 137386, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 2 Tract 1382 Wilshire Place, and Meade Avenue, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 137387, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Franklin Avenue, Resolution of Intention 134262, and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

There was listed on the agenda the item continued from January 8, authorizing the City Manager to do all work in connection with renovation of stage at Balboa Park Bowl by appropriate City forces.

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

There was listed on the agenda resolution confirming appointment by the Mayor of Arthur W. Carey and Herbert G. Baker, as members of the Civil Service Commission.

RESOLUTION 137388, approving and confirming appointment by Mayor Charles C. Dail of Arthur W. Carey as member of the Civil Service Commission, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Councilman Schneider moved to approve and confirm appointment by the Mayor of Herbert G. Baker to the Civil Service Commission. (This appointment had been the subject of considerable discussion at a previous meeting, at which time both appointments were held up).

This item was held over, and no roll call taken on the motion.

RESOLUTION 137389, establishing parking time of 2 hour limit: Both sides of Kettner Boulevard between Ivy and Juniper Streets; establishing parking meter zones; directing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

1/22/57

RESOLUTION 137390, authorizing and empowering City Manager to execute, for and on behalf of the City, a Pipe Line License with The Atchison, Topeka and Santa Fe Railway Company, for installation and maintenance of sewer line and drainage channel over Santa Fe Property at Tecolote Creek Crossing, under Document 546996, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 137391, approving request of Einer Brothers, Inc., January 4, 1957, Change Order 3, for extension of 60 days to and including February 9, 1957, filed as Document 546932, in which to complete contract for Murray Second Pipe Line, contract Document 536625; extending completion time of contract to February 9, 1957, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 137392, authorizing Property Supervisor to purchase portion of southeast quarter Lot 42 Horton's Purchase from Alvin J. and Helen Z. Reed, for widening Imperial Avenue; authorizing City Auditor to issue warrant for \$10,500.00 or so much as may be necessary for consideration of conveyance of the property, payable from Ordinance 7260 (New Series), was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 137393, 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 22 and 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 of said property be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 137394, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Continental Auxiliary Company, trustee, December 24, 1956, subordinating all their right, title and interest in and to easement for right of way for public street and incidents thereto, in portion Lot 9 Block 3 Silver Terrace; authorizing and directing City Clerk to file subordination agreement, 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 137395, accepting deed of Leo J. Demers and Mildred C. Demers, November 28, 1956, conveying portion of Northeast Quarter Lot 15 of portion of Ex-Mission Lands of San Diego, commonly known as Horton's Purchase; 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 137396, accepting deed of Fred J. Cicone, January 7, 1957, conveying portion Lot 32 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 137397, accepting deed of James B. Daugherty, Jr. and Geraldine June Daugherty, January 10, 1957, conveying portion Lots 22, 23, 24 Block 249 San Diego Land and Town Company's South Chollas 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 137398, accepting deed of Leo J. Demers and Mildred C. Demers, October 31, 1956, conveying portion Lot 15 Ex-Mission Lands of San Diego (commonly known as Horton's Purchase); naming land Euclid Avenue and Elm Street; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 137399, accepting deed of Melvin E. Setterlund and Sylvia W. Setterlund, October 19, 1956, conveying easement and right of way for street purposes in portion Lot 9 Block 3 Silver Terrace; naming land Goshen 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 137400, accepting deed of Rose M. Fischer, January 9, 1957, conveying easement and right of way for drainage purposes in strip of land 6.0 feet wide in Lots 1 and 2 Block 79 San Diego Homestead Union; authorizing and directing City Clerk 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 137401, accepting deed of C. E. Hites and Bessie S. Hites, December 21, 1956, conveying easement and right of way for drainage purposes in portions of Lots 36 and 37 Block 28 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 137402, accepting deed of Isabel Bedford, December 24, 1956, conveying easement and right of way for drainage purposes in portions of Lots 31, 32, 33, 34, 35 Block 28 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.

1/22/57

RESOLUTION 137403, accepting deed of Isabel Bedford, December 24, 1956, conveying easement and right of way for drainage purposes in portions of Lots 18 to 23 Block 27 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 137404, accepting deed of Union Title Insurance and Trust Company, January 9, 1957, conveying easement and right of way for drainage purposes in strip of land 8.00 feet wide in Pueblo Lot 1191; authorizing and directing City Clerk 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 137405, accepting deed of Harry C. Pund, Jr. and Patricia Pund, January 7, 1957, conveying easement for utilities and rights of way for ingress and egress in portion of land in Lots 1 and 2 Block 50 and Emerson Street closed adjacent, in Roseville; authorizing and directing City Clerk 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.

Councilman Curran said he had a question in connection with the next item.

Mayor Dail asked if data were available.

The City Manager replied that this is in connection with a 1911 Act improvement; there is a 2½ foot cut in 1 location; 1 foot cut in the middle.

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

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

ORDINANCE 7295 (New Series), establishing grade of Wilcox Street between westerly boundary line of Amended Map of Loma View, and line parallel to and 40.00 feet easterly from easterly boundary line of Loma View, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Kerrigan.

Asst. City Attorney Aaron Reese requested, and was granted, unanimous consent to present the next item. He said that the State Highway is to go through property acquired by the Big Sister League from the City. He said that the League now has another location.

The City Manager said that "this is in line with City policy".

RESOLUTION 137406, approving purchase of property located at 115 Redwood Street by the Big Sister League, subject to same terms and conditions as for ownership of property heretofore owned and occupied by the League at 1769 Front Street, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Resolution says that the League is being displaced by impending construction of cross-town freeway; it owns property subject to

1/22/57

to same terms and conditions as for ownership of property heretofore owned and occupied by the Big Sister League at 1769 Front Street.

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

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

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

ORDINANCE 7296 (New Series), appropriating \$625.00 out of Unappropriated Balance Fund for paying City of San Diego's share of advance arrangements for Japan-American Pacific Area Conference of Mayors and Chamber of Commerce Presidents, was on motion of Councilman Curran, seconded by Councilman Williams, by following vote: Yeas=Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays=None. Absent=Councilman Kerrigan.

RESOLUTION 137047, referring to Council Conference the matter of the Japan-American Pacific Area Conference of Mayors and Chamber of Commerce Presidents, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

At the hour of 2:07 o'clock P.M., the Mayor declared a recess for 5 minutes.

Upon reconvening at 2:52 o'clock P.M., the roll call showed the following:

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

RESOLUTION 137408, approving and confirming appointment by Mayor Charles C. Dail of Herbert G. Baker as a member of the Civil Service Commission, pursuant to Section 115 Art VIII of the Charter, amended November 6, 1956, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Schneider, Kerrigan, Curran, Mayor Dail. Nays-Councilmen Burgener, Williams, Evenson.

The Mayor told the Council that he would probably not, in the future, discuss with members of the Council in advance his proposed appointments. Members of the Council discussed that point with him.

There being no further business to come before the Council, at this time, the Mayor declared the meeting adjourned at 2:52 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

*C. M. Hadstrom*

Deputy

*Charles C. Dail*

Mayor of The City of San Diego, California

1/24/57

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, January 24, 1956

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

Absent--None

Clerk---Fred W. Sick

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

Ordinances and Resolutions for this meeting are recorded on  
Microfilm Roll 124.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing continued to this time from meeting of January 17 (at which time hearing was held, also), on rezoning portion of Lot 67 Rancho Mission from R-1 to R-2, at southeast corner of Waring Road (end, rather than corner) in Allied Gardens, a letter from Robert Thorn, of Glenn & Wright, attorneys, stating that they had withdrawn by mutual consent, and asking for continuance so that former client (L. M. Dalton) could secure counsel to represent him, was presented.

Mr. Thorn, who had appeared at the previous hearing, and who signed the letter, told the Council that he was "withdrawing the letter which requests continuance of the hearing".

The Clerk read to the Council the previously-read Planning report.

Attorney Ray Coady, in behalf of "the beneficial interest: the Catholic Bishop", came to the microphone. He said that zoning which would permit public schools, but exclude private schools, would be invalid. He spoke of having R-2 set up for schools and churches. He said that in old parts of town there are schools and church; and they are improvements. He said the only traffic problem is where commercial buildings go up. He said it has been brought up that it is an ideal setup for school: 10.3 acres. Mr. Coady said "there is no better use" for this property. He said that location of a school in Allied Gardens has been under investigation and negotiations for several months. He said that access rights to Navajo Road have been acquired by the City. He said that if property were divided there could not be access; there is to be had from a dedicated street. He spoke of being subdivided as 1 lot in R-2, and of the Bishop not being in the subdivision business. He said that the development would not depreciate property values. Mr. Coady said that it could be planned properly, to include 25% for off-street parking. He pointed out that a portion of the property is not available for water. He stated that the highest and best use of the property would be R-2 - for church and school. He said that "the title is ready to pass". He stated that the adjoining property is not a part of Allied Gardens. He said that Navajo Road has a 200 foot right of way which separates this property from others. He requested the rezoning.

Chief Yoeman Haskell, USN, said that he is ready to retire from the Navy. He said that it is a ridiculous statement (made in the Planning report) about taking the property off the tax rolls. He pointed out that there will be education, not at tax payers' expense. The Chief said that "there must be hidden reasons for the objections".

Mr. Thorn said that opponents are agreeable to a school. He said that they do not oppose a school, only the means of obtaining it.

There was a showing of hands on the part of those favoring the proposal.

The Mayor said that this is not on the basis of popularity; it is on the law.

Meeting convened

Hearing



Mr. Thorn stated that his clients object to taking R-1 land and zoning it before the property title has passed. He told of the Planning Commission's power on conditional use, and reviewed the uses permitted in R2. He said that there is no guaranty of use; once it is R-2, it could not be refused that property be subdivided for permitted uses. He said that he "did not bring lots of people to raise their hands". Mr. Thorn held up a map, which he explained. He said "people who have homes in existence will be injured". He told of having written petitions of objection, which he would be happy to submit. He told of offer having been made by opponents about deed restrictions: for church and school for 20 years. He said that if turned down, there is a plan in back of minds. He said that Sharp Memorial Hospital and Children's hospital are on conditional use. He told of the San Miguel Episcopal School in National City being on conditional use. He stated that "R-2 can be used for anything, any time". He stated that from proponents there are vague statements.

Joseph Lewis Duquesne said that property is in escrow; there is a deed; it is ready to proceed. He stated that "the property is higher than the houses". Mr. Duquesne said that the prevailing winds are from the west to the east, and that there is more noise from the elementary school.

The Pastor, Father Kraft, told the Council that the Bishop, never accepted escrow on zone variance. There was discussion between Father Kraft and Mr. Duquesne.

Father Kraft said that "it will not be a nuisance".

Mayor Dail discussed with Father Kraft the possibility of buying the property for a church - and then selling it.

Father Kraft replied that "it is not the intention to sell".

Mr. Coady said that people here are the petitioners; there are 525 families who are the petitioners. He said that this would be taking virgin territory and looking to the future. He told of the areas that could be served by the parochial school.

Mr. Thorn said that most arguments are about the school; opponents are in accord; integrity is not being attacked. He said the Bishop is not being attacked. He told of purchases having been made, property having been found inapplicable, and then sold. He asked why there there should be objection to restrictive covenant, or conditional use. He said that it would be possible to get a conditional use for the whole plan, or amendment. He asked why normal procedure had ~~not been~~ not been agreed to.

The Mayor pointed out that "the Council is not interested in deed restrictions".

Mr. Thorn said that would be only voluntary.

The Mayor said that there had been no recent case of conditional use for the purpose requested.

Mr. Coady said that the zoning plan of R-2 is for church and school, and that it is not normal to get conditional use. He said that it is already R-2, and "the Bishop requested it".

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

Councilman Burgener spoke to Mr. Thorn about his comments. He said "there comes a time to demand certain written guarantees, and that "much has to be evaluated."

Councilman Burgener moved to introduce the ordinance. Motion was seconded by Councilman Williams.

Councilman Schneider said that he lives near St. Patrick's, which is congested; "this would be an advantage".

Councilman Curran spoke to Mr. Thorn about proposed rezones, in the future.

The roll was called on the motion, and Ordinance incorporating portion of Lot 67 Rancho Mission into R-2 zone, as defined by Section 101.0406 of San Diego Municipal Code, and repealing Ordinance 5132 (New Series) insofar as it conflicts, was introduced by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

Hearing

Ord. intr.

1/24/57

" The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on rezoning Lots 19 to 22 inclusive Block 32 Mission Bay Park Tract, from R-C to RC-1A, at northeasterly corner of Grand Avenue and Figueroa Boulevard, Ned Kimball, attorney, said to the Council that he was representing the petitioner requesting the rezoning.

Harry Haelsig, Planning Director, showed members of the Council of the property affected, as well as surrounding property.

Mr. Kimball passed around photographs.

There was a conference over the map.

Mr. Kimball said that request is for R-C1A. He said that property adjoining, on Pacific Highway, is C Zone - some 200 feet. He said that proposed zoning would bring in 218 feet - to the next street. He declared that this is not spot zoning; it increases the existing zoning. He told of Mr. Nickerson having appeared before Planning, with no counsel. Mr. Kimball told the Council that he and Mr. Rick (Glenn A. Rick, former Planning Director) want to present a reasonable request. He stated that "this is not new; it is additional". He stated that the nearest C is 8 blocks to the west; the next is 12 blocks to the west. He told of the complete change in Grand Avenue in the last year, and of the Traffic Engineer having told of the great increase in traffic - 6 to 7 times in volume. He said that "the purpose of Grand Avenue is to create access". Mr. Kimball told the Council that Mr. Burton, of the Planning Office, has reported to Planning an informal understanding of no more C zone to be on Grand. He said "Grand is not a freeway; it was not designed as such". He said that under the zoning (proposed) there has to be off-street parking; under R-4 there is no parking required. He said that there is no limitation on the access; and there is no proposal to buy such along Grand Avenue. Mr. Kimball said that after Grand Avenue development, the Nickerson land is now 8 feet below grade; a hole was created by the highway, and to use the land for any purpose the hole has to be filled. He said that R-4 uses are not economically such as to permit that to be done, but in R-1A it could be. He told of the great debt caused by the engineering and the construction. He pointed out that the character of the neighborhood has changed. He said that travel beyond C zone has not caused them to be removed from each other. He said that this is a reasonable request. He said that Lot 22....(but did not finish the statement).

Councilman Kerrigan spoke to Mr. Kimball, resulting in a discussion between the two.

Mr. Kimball said that Mr. Nickerson has told him what people have told him. He said that Shell (oil company) has bought or leased.

Councilman Kerrigan had a discussion with Mr. Kimball and others.

Mr. Kimball said that Shell Oil will bring in a C Zone; no one has opposed this request; all have joined in the petition.

Councilman Schneider discussed the proposal with Mr. Kimball. Then he had a discussion with Mr. Rick.

Mr. Rick told of having known Mr. Nickerson for years, and that he owns a motel. He said that there is a problem if the owner can afford to fill the property, and provide for drainage. He said that he had suggested the requested zone. Mr. Rick said that "property owners in the vicinity went along on the petition; the owner has a definite problem, and should have consideration.

Members of the Council had a discussion.

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

Councilman Kerrigan discussed with Mr. Kimball, the property across the street.

Mr. Kimball replied that he does not know the situation there.

Councilman Schneider moved to direct the City Attorney to draw the ordinance to rezone the property. Motion was seconded by Councilman Burgener.

Mr. Haelsig said that petitioner has not demonstrated need

1/24/57

for commercial zone in Pacific, and told of Pacific Beach ~~Beach~~ commercial zoning. He showed a plat of Grand Avenue and Pacific Highway, and told of the commercial property there. He pointed out that area on a map and said that need should be demonstrated.

Councilman Evenson asked how that would be done.

The question resulted in discussion between Councilman Evenson and Mr. Haelsig.

Mr. Haelsig told the Council that less than half of the C zoned property is in use. He discussed that situation with Mr. Kimball.

Councilman Burgener discussed with Mr. Haelsig the self-imposed restrictions provided in RC-1A. He said he likes RC-1A, and spoke of the tremendous drain.

Mayor Dail said that the Ordinance should be drawn; it would be up next Thursday, and this would be gone through again.

RESOLUTION 137409, requesting City Attorney to prepare and present ordinance to rezone Lots 19 to 22 inclusive Mission Bay Park Tract, from R-4 to RC-1A, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted. //

A majority of members of the Council signed:

Undertaking for Street Lighting with San Diego Gas & Electric Co., in Pacific Beach Lighting District 2;

Undertaking for Street Lighting with San Diego Gas & Electric Co., in Seventh Avenue Lighting District 1;

Undertaking for Street Lighting with San Diego Gas & Electric Co., in Eighth Avenue Lighting District 1.

The next item was taken up out of order.

Communication from San Diego Junior Chamber of Commerce, 947 Columbia Street, San Diego 1, dated January 21, 1957, signed by John L. Allen, president, was presented.

It expresses concern regarding civic theatre in Balboa Park, and wonders if the matter is not being adequately studied. It says that "it is our understanding that the Stanford Research Institute report which contained considerable factual data concerning all phases of this subject was accepted and approved by the City Council, and we feel that any deviation from the criterion established in this report should only be after the most careful analysis and consideration". It requests consideration of the matter.

RESOLUTION 137410, referring to Council Conference communication from San Diego Junior Chamber of Commerce, on proposal to place bond issue on the ballot in April, 1957, for a civic theatre in Balboa Park, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Mayor Dail said that there was a distinguished lady present, in connection with the item which had just been handled (Jr. C. of C. letter re Civic Theatre). He said that Mrs. Henry Clark is interested in the Theatre. He stated that the "statement regarding cost was taken out of the air (by him) at the Ad Club meeting". He said that the subject will be referred to the Council by Planning, and of hearing having been heard by that Commission.

Councilman Curran spoke of necessity for study from a professional source.

Mrs. Clark said to the Council that she had "called up many people". She said that Morley Golden went to Los Angeles, and came

Hearing  
137409 - 137410  
Lighting contracts signed  
Communication  
Discussion re civic theatre  
(out of order)

1/24/57

back with a figure of 3 millions, including parking and landscaping. Mrs. Clark said that "the zoo parking takes care of many cars, and there will be more parking". She spoke of the low yearly tax, and added that "all want a civic theatre"; every woman she talked to favored it. She told of plans for what is to be a women's committee - no men. She spoke of free advertising. She stated that La Jolla people are back of this, and said that their theatre (which is to be constructed) will not conflict.

Councilman Curran stated that there are problems which have to be resolved. He assured Mrs. Clark that she, and the Junior Chamber of Commerce, will be invited into discussions.

Aaron Reese, Asst. City Attorney, said that this has to go through the bond attorneys. He reviewed the first step on the master plan.

Councilman Kerrigan said that hearing would have to be advertised.

Mayor Dail said that 3,500 seating is just about tops. He said that there are reports in the Stanford report on that subject.

Councilman Williams observed that "suppositions are dangerous".

Councilman Burgener said that some technical information could be assembled.

Mr. Reese asked about authorization for preliminary negotiations with O'Melveny & Myers.

RESOLUTION 137411, requesting the City Attorney to contact the firm of O'Melveny & Myers, of Los Angeles, for a tentative schedule regarding a proposed bond issue for the April 16, 1957, election for a civic theatre in Balboa Park, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Mayor Dail said that there should be referred to the City Manager for discussion with the Architectural Association, the Civic Theatre.

RESOLUTION 137412, requesting the City Manager to bring in a report within 2 weeks on the technical phases of the proposed bond issue election for a civic theatre in Balboa Park, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bids of Dixie Lumber and Western Lumber Company for furnishing 4 items of Lumber for Stock, to be used for bridge and fence repairs (listed in the report), was presented. There were 5 bids.

RESOLUTION 137413, accepting bids of Dixie Lumber and Western Lumber Company, and awarding contracts for furnishing lumber; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contracts pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan.

Report of Purchasing Agent, approved by Acting City Manager, on low bid of Southern Equipment & Supply Company for furnishing 2 - 3/4 Cu. Yd. capacity 2-wheel drive Tractor Loaders, was presented. (For P.W. Equipment Div., replacements in kind). There were 3 bids.

RESOLUTION 137414, accepting bid of Southern Equipment & Supply Company for furnishing Tractor Loaders, less trade-in allowance, plus tax and plus extra charge; awarding contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bid of Geo. W. French Company for furnishing 5 tons of Steel Gutter Broom Wire, for street sweeper use, was presented. There were 6 bids.

RESOLUTION 137415, accepting bid of Geo. W. French Company for furnishing Black Oil Tempered Heat Treated Steel Gutter Broom Wire; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 137416, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 30 tons of 26" Palm Fibre Stalks, under Document 547038, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 137417, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for improvement of Balboa Drive and Quince Street (including construction of Type G curb, curb inlets and construction of pavement etc.); Document 546967; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 137418, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for construction of primary and secondary vaults, electric power manhole, and addition to electric power duct system for Mission Beach Amusement Center; Document 546966; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 137419, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for construction of sanitary sewer replacement in Chocolate Canyon from Nutmeg and Felton Streets southerly to Pennell Avenue at Ash Street; Document 546964; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137420, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain in Revillo Drive, Rolando Boulevard and in University Avenue; Document 546961; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 137421, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for construction (installation) of traffic signal and safety lighting systems at intersection of 55th Street and Montezuma Road; Document 546963; authorizing and directing Purchasing Agent



1/24/57

to publish notice calling for bids, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 137422, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signal and safety lighting systems, traffic islands and channelizing, and drainage appurtenances at intersection of Harbor Drive and Ash Street; Document 546965; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137423, approving plans and specifications for installation of traffic signal, etc. at Imperial and 28th, and National Avenue and Sigsbee, authorizing bids, was adopted.

RESOLUTION 137424, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signal and safety lighting systems at intersections of Morena Blvd. & Weeks Ave., Morena Blvd. and Milton St., Morena Blvd. & Clairemont Drive, and relocation of lighting standards on Morena Blvd. at Napa St. and Linda Vista Rd.; Document 546968; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

The next item was continued to this meeting from the meeting of January 17, 1957, at which time the subject was gone into in detail.

RESOLUTION 137425, approving tentative map of The Lareau's Building Site, a 3-lot subdivision of portion Pueblo Lot 174, located on east side of Armada Terrace northerly of Rogers Street, subject to 5 conditions; suspending portion of the Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution was adopted on the next item, but was reconsidered after the item which succeeded it on the agenda, but is shown here, where listed.

Charles Smith, an engineer, said that he was here in behalf of Mr. Picard, adjoining property to protests about the reservation. He said that there would be additional cost, to gain access.

Harry Haelsig, Planning Director, laid down a map which he explained. He referred to the background on the property.

Mayor Dail left the meeting, and The Vice Mayor took the chair.

Mr. Haelsig said that "it is a question if the street is used, or not". He told of there having been a plan 4 or 5 years ago.

Mr. Smith said to the Council that the tentative plan had been in almost a year. He said that the only other access would be by Collwood Boulevard, which would set up prohibitive expenses.

Councilman Kerrigan spoke to Mr. Smith, saying that the tentative map had been approved. He said that the problem is about dedication for a future street. He asked about the City's legal position.

Aaron Reese, Asst. City Attorney, said that the City just determines if there has been compliance.

Councilman Kerrigan pointed out that the subdivider has complied with the tentative.

Mr. Smith said he was aware of that; property is just retained. He said it was Mr. Picard's understanding that it was to be an improved street. He said he represented the property to the west.



Mr. Haelsig said that there is an entry way; it can be dedicated as a street tomorrow. He discussed with Councilman Burgener about a 1/2 dozen in the last year.

Councilman Burgener said that this "puts a blot on 2 lots". Members of the Council, individually, held discussions with Mr. Smith.

Mr. Smith said Mr. Picard realizes that the adjoining subdivider has fulfilled his contract. He understood it to be an improved street. He said "it is the only logical and economical entry".

Councilman Kerrigan said that it could be accepted by resolution.

Mr. Smith said that if dedication is accepted, a question of improvement arises.

Councilman Burgener discussed with Mr. Smith the access and improvement.

Members of the Council, including Mr. Smith had a discussion. RESOLUTION 137426, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Montezuma Corporation, a corporation, for installation and completion of unfinished improvements and setting of monuments required for College Knolls Subdivision, and further providing for reimbursement to the Subdivider by the City of \$3859.00 for construction by the subdivider of additional sewer line within and without the 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 Williams, adopted.

RESOLUTION 137427, adopting map of College Knolls Subdivision, being portion Lot 4 Marcellena Tract; accepting on behalf of the public 54th Street, Feber Way and portion Montezuma Road, and easements shown for sewer, water, drainage and public utilities, together with any and all abutters' rights of access in and to Montezuma Road adjacent and contiguous to Lots 27 to 32 inclusive, and Lot 1, and in and to portions of 54th Street adjacent and contiguous to Lots 1 and 32; declaring them to be dedicated to public use; rejecting as dedication for public street portion shown as "Reserved for Future Street"; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that the Council has approved the subdivision map, and that streets, portion of public street and easements shown for sewer, water, drainage and public utilities, together with any and all abutters' rights of access in and to Montezuma Road adjacent and contiguous to Lots 27 to 32 inclusive and Lot 1 and in and to portions of 54th Street adjacent and contiguous to Lots 1 and 32 are accepted on behalf of the public, and that the Council rejects as dedication for public street, portion marked "Reserved for Future Street"; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Resolution was adopted on the next item, but was reconsidered. Communication from Planning Commission, by Richard L. Weiser, reporting on tentative map for resubdivision of Lot 4 Block Q Riviera Villas, located on easterly side of intersection of Hills Street, Devonshire Drive and Novara Street in Ocean Beach, was presented. After reporting in detail, the communication says that the Planning Commission does not feel that this is an adequate building site in view of the peculiar ~~shape~~ of the parcel. It says that alley adjacent is only 15 feet in width whereas the Code requires that alleys be a minimum of 20 feet; the Commission voted 6-0 to recommend denial of the tentative map.

After resolution to deny the map was adopted, action was reconsidered.

A man, whose name was understood to be Salsberry, owner of the adjoining lot, said that ~~he has~~ there have been 3 lots in the neighbor-

1/24/57

hood have been subdivided.

The Planning Director laid down a map.

Mr. Salesberry said that his home is on Lot 1; reference is to the subdivided lots.

The Planning Director read a portion of the Commission's report to the Council. He said that there is a substandard alley of 15 feet.

Mr. Salesberry said that this is the only lot not built on.

Councilman Williams, Vice Mayor, said that it is in order.

The Planning Director said that he does not know of the Council having instituted an alley closing.

Councilman Kerrigan pointed out that there is a recommendation to deny. He said that the only thing that could be done would be to would be to deny, and have hearing on an ordinance.

Councilman Schneider moved that the City Attorney prepare the ordinance.

The Vice Mayor stated that an ordinance is not needed.

Councilman Schneider moved to approve the Tentative Map.

The Planning Director said that property owners knew of the Planning hearing. He said that this should be referred back to Planning for the writing in of conditions.

Aaron Reese, Asst. City Attorney, said this is not done by ordinance; if there are to be conditions, it should go back to Planning.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the item was referred back to Planning for a resolution, with conditions.

Communication from the City Attorney, by Mona N. Andreen, approved by J. F. DuPaul, reporting on request of Paul R. Stevenson for erection of a sign on Stevenson's Department, at Girard and Wall Streets, La Jolla, was presented. It says "it is the opinion of this office that signs in the SC zone must front on a street" (which was a point of contention).

Aaron Reese, Asst. Planning City Attorney, spoke of the SC zone, covering signs. He said that the store has a sign which exceeds the allowance, and is non-conforming, and they want enlargement. He said "there is no basic right to expand a non-conforming use". He said that application could be made for a zone variance.

The Vice Mayor asked Mr. Stevenson if he had applied for a zone variance.

Mr. Stevenson replied "no"; he was told that it was denied; "this changes the aspect; it was overlooked".

On motion of Councilman Schneider, seconded by Councilman Evenson, the papers were filed.

The next item was taken up at this time, out of order.

It had to do with the continued resolution authorizing City Manager to execute agreement with State Highway Department re State Route #94 - XI-SD-200-SD, between 19th Street and 25th Street.

On motion of Councilman Evenson, seconded by Councilman Burgener, the City Attorney was requested to prepare a resolution to request the State Division of Highways, District Engineer, to provide for lowering of the anticipated freeway grade sufficiently so as to permit a future crossing for vehicles at 22nd Street at or near the present grade of 22nd Street when traffic demand would justify such a project.

Communication from Street Superintendent, approved by Assistant City Manager, recommending granting petition of San Diego Unified School District to close 30th Street between north line of A Street and north line of E. W. Morse's Subdivision, was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener it was continued 1 week.

Communications

Discussion - out of order.

Councilman Kerrigan was excused

The next item was taken up, out of order.

On motion of Councilman Burgener, seconded by Councilman Curran, reading of the next ordinance in full was dispensed with by vote of not less than 4 members of the Council.

ORDINANCE 7297 (New Series), approving annexation to the City of San Diego of uninhabited territory in portions of Lots 36 and 41 Rancho Mission of San Diego, known and designated as "Mission Village Tract", was on motion of Councilman Burgener, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, Mayor Dail.

Vice Mayor Williams declared a recess at 11:59 o'clock A.M. until 2 P.M. this date.

Upon reconvening at 2:05 o'clock P.M., the roll call showed the following:

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

Councilman Kerrigan, in the absence of the Mayor and the Vice Mayor, acted as Chairman.

Communication from C. T. Ahearns, 3304 Bellefontaine Ave., Kansas City, Mo., dated Jan 16th, 57, was presented. It asks for information regarding City's water main running through lots his sister, Josephine Wilson, had owned for the last 43 years - Lots 17 & 18 Block 8 Del Mar Terrace. He said that she has paid taxes on property all this time, and has now decided to sell, but finds she cannot sell on account of the main.

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

Communication from Bob Wilson, Member of Congress, signed "Bob", dated January 14, 1957, requesting maintenance of Torrey Pines Gliderport, was presented.

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

Communication from Donnelley, MacNulty & Butler, attorneys at law, 2655 Fourth Avenue, San Diego 3, by John Butler, dated January 17, 1957, was presented. It requests hearing on behalf of his client, J. B. Jennings, on claim. On motion of Councilman Burgener, seconded by Councilman Curran, it was continued to the meeting of January 31, 1957.

(Mr. Butler's office was notified, by telephone, of the date - A.M.W.)

Communication from La Jolla Town Council, 7923 Herschel Avenue, La Jolla, dated January 18, 1957, by H. Bailey Gallison, was presented.

7297 N.S.  
Meeting recessed  
Meeting reconvened  
Communications

1/24/57

It tells of permanent buildings having been started at Camp Matthews Rifle Range. It says that "we feel it is in the best interests of the City of San Diego to enlist your support to help us start action which will result in the eventual removal of the Camp Matthews Rifle Range to a more suitable location". It speaks of construction of the ten million dollar atomic research laboratory and of need for a traffic clover leaf at the U.S. 101 and Miramar Road intersection and future expansion of the University of California.

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

Communication from Miss Marilyn Lawton, 4033 Ingalls Street, San Diego 3, dated 18 January 1957, was presented. It asks that that the City of San Diego paint the curbing "Parking Reserved for Owner Only" so that property owners will have parking space provided for them. It makes suggestions for prohibiting parking of trucks in front of residential areas of the city.

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

Communication from Carl G. Offe, 303 N. 47th St., S.D.2, dated 1-20-57, was presented. It submits newspaper clipping entitled "El Cajon Officials May Take To Hills" relative to emergency city hall in the mountains near Pine Valley off U.S. Highway 80. It asks if a resolution is in the making to protect records of the City of San Diego.

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

Copy of letter from H. George Roney, president of Pacific Beach Town Council, P.O. Box 9257, San Diego 9, dated 21 January 1957, was presented. It endorses proposed development of "Kate O. Session Memorial Park" and requests employment of means to convince City Authorities of the necessity of beginning development at earliest practicable date. The original was addressed to Leo B. Callan, director of Park and Recreation Department.

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

Communication from Public Utilities Commission, State of California, California State Building, by R. J. Pajalich, secretary, dated January 18, 1957: File Case 5495, Allocation request 185 (A) was presented. It attaches certified copy of Resolution CP-280 allocating from Crossing Protection Fund to the City amount equal to one-half of City's share of actual cost but not to exceed \$4,498 in constructing grade crossing protection referred to at intersection of Rosecrans Street and track of The Atchison, Topeka and Santa Fe Railway Company.

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

Communication from San Diego Chapter, The American Institute of Architects, dated January 21, 1957, by Sim Bruce Richards, president, 1298 1/2 Prospect, La Jolla, was presented. It attaches copy of letter from the Chapter, dated September 13, 1956, which urged adoption of resolution of civic policy that all surveys, reports, etc., re plant which is in the province of the City governmental activity, be performed by residents of San Diego County.

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

Communication from San Diego City-County Camp Commission, 201 Civic Center, San Diego 1, dated January 22, 1957, signed by Edwin E. Pumala, director of camping, was presented. It invites members of the Council to a joint meeting with San Diego County Board of Supervisors and San Diego Board of Education to be held in February at a date convenient at all bodies, to discuss problems facing the Commission in the 1957-58 fiscal year and recommend a solution.

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

It was at this point where the San Diego Junior Chamber of Commerce letter, shown earlier in these minutes, was shown.

Communication from J. D. Thompson, Jr., president, San Diego Federal Savings and Loan Association, 1265 Sixth Avenue, San Diego, dated January 22, 1957, was presented. It says that "if the City can satisfy itself as to their (San Diego Engineering Associates) in the field in which they would work (re sewerage treatment plant design contract), the proposal should be given full and even preferred consideration to any outside firm.

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

RESOLUTION 137428, determining and declaring that public interest, convenience and necessity of The City of San Diego require construction, operation and maintenance of public sewer and storm drain across portion of Pueblo Lot 1288 of Pueblo Lands of San Diego, and that public interest, convenience and necessity demand acquisition of easement to be used by the City for construction of public sewer and storm drain within the area; declaring intention of The City of San Diego to acquire the property under Eminent Domain Proceedings; directing 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 acquiring the easement, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The continued resolution authorizing City Manager to execute agreement with the State Highway Department re Route #94 between 19th and 25th Streets, listed at this point, was shown earlier in these minutes, rather than here - where listed on the agenda.

RESOLUTION 137429, declaring a Through Highway: Lake Murray Boulevard, for entire length; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 137430, pursuant to recommendation of Director of Water Department, approved by City Manager, the Council approves contribution by the City of one-third of cost of program of San Diego County Weather Corporation for reports on cloud seeding operation for months of January, February, March and April of 1957, funds payable from Water Department funds, under Document 440721 under Resolution 104021; provided contribution shall not exceed \$10,000.00, and shall be payable ~~from~~ upon presentation of invoices to the City by the Corporation and approval thereof by City Manager, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

1/24/57

RESOLUTION 137431, authorizing City Manager to employ V. R. Dennis Construction Company to perform paving and otherwise improving portions of 39th Street, et al., in connection with 1911 Street Improvement Act, cost not to exceed \$926.04 payable from Ordinance 5341 (New Series), was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 137432, authorizing City Manager to employ T. B. Penick & Sons to replace paving at El Cajon Boulevard and Alley Block 2 Tract 1382 Wilshire Place, in connection with 1911 Street Improvement Act proceedings for improvement of the Alley, cost not to exceed \$264.60 payable from Ordinance 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137433, authorizing and empowering City Manager to enter into contract for and on behalf of The City with The Stanmar Corporation, 9325 El Cajon Boulevard, La Mesa, subdivider of Valle Granado Subdivision, providing for installation of mains and appurtenances larger than necessary for the subdivision, but required by the City, and for reimbursement by the City to the subdivider of \$1466.79 covering difference in cost between water mains and appurtenances required by the City to be installed and those necessary for the subdivision, upon execution and delivery to the City of a quitclaim deed conveying to the City all right, title and interest of the subdivider in and to water distribution system in Valle Granado Subdivision, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137434, authorizing City Manager to sign agreement with Robert H. Fowble, of San Diego, for services as architect:

- 1) Kennels at City Dog Pound;
- 2) Comfort Station at Lomita Park;
- 3) Game and Craft Room at Highland and Landis Community Center;
- 4) Comfort Station at Gleason Point, Mission Bay Park,

under Document 547051, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137435, authorizing and empowering City Attorney to file on behalf of The City of San Diego in case entitled "Lawrence L. Light v. The City of San Diego," Superior Court 201537, a stipulation stipulating that decree quieting title in and to property in plaintiff in the action may be taken against The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution says that owner of portion of north one-half of Pueblo Lot 1202 has filed action seeking to quiet title and states that The City has no right, title interest or estate in or to the property.

RESOLUTION 137436, approving Change Order 2, dated January 9, 1957, Document 546885, issued in connection with contract between The City of San Diego and Chula Vista Electric Company, for installation of High Intensity Runway Lights on Runway 9-27 Lindbergh Field, contract Document 538418, changes amounting to increase of contract price of \$1,303.50, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.



RESOLUTION 137437, approving request of Daley Corporation, December 26, 1956, Change Order 1, for change of wall design from that shown on Drawings 3648F-D and 3903-D to that shown on Drawings 42-EB and 43-EB, recommended by City Engineer, in connection with contract for improvement of 54th Street, University Avenue and El Cajon Boulevard, change order filed as Document 547001, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

There was listed on the agenda a resolution granting 90 day extension to V. R. Dennis Construction Company, for completion of contract on Nile Street. On motion of Councilman Schneider, seconded by Councilman Evenson, the extension was changed to 60 days.

RESOLUTION 137438, approving 60 day extension to V. R. Dennis Construction Company, dated January 10, 1957, Change Order 4, for completion of contract for improvement of Nile Street, Document 547003, contract Document 538796; extending completion time to March 28, 1957, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 137439, authorizing Mayor Charles C. Dail to attend meeting of Board of Directors of League of California Cities, and meeting of Executive Committee of Japanese-American Conference of Mayors and Chambers of Commerce officials in Berkeley, California, January 17, 18, 19, 1957; authorizing necessary travel expenses in connection with the attendance at the meetings, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 137440, vacating easement over southeasterly 17.5 feet of northeasterly 5.0 feet Lot 10, together with southerly 17.5 feet of westerly 5.0 feet, southwesterly 5.0 feet and southerly 5.0 feet Lot 11 Block 23 Montemar Ridge Unit 2, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Resolution says that public easement has not been used for purpose for which acquired since date of acquisition (1941) to present time, or for 5 consecutive years next preceding date of resolution; that from and after date of this order of vacation, title to land previously subject to easement shall revert to owners of land free from rights of the public. It authorizes and directs City Clerk to cause certified copy of resolution, attested by him under seal, to be recorded in office of County Recorder of County of San Diego.

RESOLUTION 137441, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of The City of San Diego, Deed of Easement, form Documented 547061, granting to San Diego Gas & Electric Company easement for line of poles and wires, together with appurtenant structures for transmission and distribution of electricity on East Half of Southwest Quarter Section 28 and North Half of Northwest Quarter of Section 33, all in Township 17 South Range 3 East San Bernardino Meridian, in County of San Diego, being 15 feet on each side of easement center line shown in form of deed easement, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 137442, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City

1/24/57

of San Diego, quitclaim deed quitclaiming to Muriel Mary Steele and M. Brady Steele, portions of Lots 2 and 3 Block G Fanita Rancho, form documented 547062; 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 Burgener, seconded by Councilman Curran, adopted.

Resolution says that The City of San Diego is desirous of acquiring floodage rights over Lots 1, 2, 3 Block F Fanita Rancho, to be used in connection with construction of a dam on the San Diego River; Muriel Steele, owner of the land is willing to deed to the City in exchange for quitclaim deed from the City, quitclaiming portion Lots 2 and 3 Block G Fanita Rancho; value of each parcel is \$100.00; City Manager has recommended the exchange.

RESOLUTION 137443, accepting quitclaim deed of O. D. Arnold & Sons, a co-partnership, 6122 El Cajon Boulevard, San Diego, executed on 15th day of January, 1957, quitclaiming to The City of San Diego all water mains and appurtenant structures located in public streets, rights of way, highways and public places either within or without subdivision named Arnold Knolls Annex, being subdivision of Lots 4 and 5 Block 5, Lots 3 through 17 Block 4, Lot A, Lot C, Lot D, Lots 1 through 7 Block 7, Lots 9 through 17 Block 7, all of Block 6, all in Revenna Park 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 Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137444, accepting quitclaim deed of The Stanmar Corporation, a corporation, 9325 El Cajon Boulevard, La Mesa, California, executed on 12th day of January, 1957, quitclaiming to The City of San Diego, all water mains and appurtenant structures located in public streets, rights of way, highways and public places, either within or without subdivision named Valle Granado Subdivision, a subdivision of portions of Lots 4 and 12 Horton's Purchase in Ex-Mission Lands; authorizing and directing City Clerk to file deed together with certified copy of resolution for record in office of County Recorder, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137445, accepting grant deed of Richard Todd Building Enterprises, a co-partnership, executed in favor of The City of San Diego, a municipal corporation, October 31, 1956, conveying portion Pueblo Lot 1202; authorizing and directing City Clerk to file deed for record in office of County Recorder of San Diego County, California, together with certified copy of resolution, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

There was listed on the agenda an ordinance approving annexation of portion Lots 36 and 41 Rancho Mission of San Diego, et al., at this point. Ordinance was adopted earlier, and is shown on these minutes where action was taken.

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

ORDINANCE 7298 (New Series), adopting a Master Plan of Parks

137443 - 137445

7298 N.S.

in the City of San Diego, California (filed in office of City Clerk as official document 542735), was on motion of Councilman Curran, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Williams, Mayor Dail.

On motion of Councilman Burgener, 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 7299 (New Series), amending Chapter II Article 7 Division 13 of San Diego Municipal Code, by amending Section 27.1327 relating to Special Elections resulting from Initiative Petitions (it says "not more than 1 special election in any period 6 months may be held..."), was on motion of Councilman Burgener, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Williams, Mayor Dail.

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 a written or printed copy.

ORDINANCE 7300 (New Series), amending Article 2 Chapter IX of The San Diego Municipal Code by renumbering existing Section 92.0403 and adding Section 92.0403, Regulating Fees for Electrical Permits (the renumbered shall is to be 92.0405), was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Williams, Mayor Dail.

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

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

ORDINANCE 7301 (New Series), appropriating \$4,340.00 out of Capital Outlay Fund of The City of San Diego for the purpose of providing funds for architectural services in connection with certain buildings (authorized by a resolution, shown earlier in these minutes), was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Williams, Mayor Dail.

Ordinance changing name of "Soledad Terrace Park" to "Kate O. Sessions Memorial Park"; repealing Ordinance 3813 (New Series) section 2, which created the earlier name, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Williams, Mayor Dail.

Ordinance setting aside and dedicating portion Lot 20 La Mesa

1/24/57

Colony as and for portion of public street and naming it Acorn Street, was on motion of Councilman Burgener, seconded by Councilman Curran, introduced, by following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Williams, Mayor Dail.

Ordinance setting aside and dedicating portions Lots 20, 21, 23, 24 La Mesa Colony as and for public street and naming it Seminole Drive, was on motion of Councilman Curran, seconded by Councilman Schneider, introduced, by following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Williams, Mayor Dail.

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

RESOLUTION 137446, authorizing and empowering the City Manager to execute on behalf of The City of San Diego, an agreement between the City and the "Don't Waste Water Committee", form documented 547084, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Vice Mayor Williams entered the meeting, but did not take the Chair.

Councilman Schneider requested, and was granted, unanimous consent to present the next item, not listed on the agenda.

Councilman Schneider spoke of enforcement of the trash collection (ordinance regarding cans). He said that there has been some complaint of thefts of the \$7.00 cans. He spoke of cost which some householders cannot afford. He said this is "not managed as well as planned", and asked about the City Manager dealing with the trash collection crews. He said that this ought to go to conference.

The City Manager discussed the situation with Councilman Schneider, and asked how many cans had been stolen.

There was no answer.

Councilman Schneider said that there is need for consideration, because of the new sewage charge. He said some are irritated, and that it ought to be worked on by the Manager.

The City Manager said that it is impossible for crews to know if boxes are to be taken or left. He said they are supposed to take the boxes. He spoke of there having to be some individual responsibilities.

Councilman Schneider said that there could be a substitute (for the cans specified in the ordinance), where the City would supply them at cost.

RESOLUTION 137447, referring to Council Conference for discussion and consideration of an amendment to the regulations on trash collection, 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 Chairman declared the meeting adjourned at 2:20 o'clock P.M.

ATTEST:  
FRED W. SICK, City Clerk

By

*G. M. Hadstone*

Deputy

*Max O'Dare*

Mayor of The City of San Diego, California

Ords intr

137446 - 137447 - under U.C. - incl. discussion

Meeting adjourned

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, January 29, 1957

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

Mayor Dail presented Reverend George Walker Smith, pastor of the Golden Hill United Presbyterian Church. Reverend Smith gave the invocation.

Resolutions and Ordinances for this meeting are recorded on Microfilm Roll 124.

The Mayor welcomed students from the Samuel Gompers Junior High School, and their teacher, Mr. Dean Bistline.

Asked if the visitors would like to be heard, Mr. Bistline introduced PTA members who brought them to the meeting.

On motion of Councilman Williams, seconded by Councilman Schneider, Minutes of the Regular Meetings of Tuesday, January 22, 1957 and of Thursday, January 24, 1957, were approved without reading - after which they were signed by the Mayor.

Councilman Burgener entered the meeting

The Purchasing Agent reported in writing on 4 bids opened January 25, 1957, on 1911 Act bids for sidewalks in Lea Street, Streamview Drive, and Chollas Parkway.

On motion of Councilman Schneider, seconded by Councilman Williams, finding was made that bids had been opened and declared as reported. By the same motion, they were referred to the City Manager and City Attorney.

The Purchasing Agent reported in writing on 6 bids opened January 25, 1957, on 1911 Act bids for sidewalks in Aragon Drive, Nassau Drive, Waite Drive, Suffolk Drive, Rockland, Duchess, 69th Streets, et al.

On motion of Councilman Schneider, seconded by Councilman Williams, finding was made that bids had been opened and declared as reported. By the same motion, they were referred to the City Manager and City Attorney.

The hour of 10:00 o'clock A.M. having arrived, latest time set for receiving bids for furnishing electric energy in Crown Point Lighting District 1, for 1 year from and including February 1, 1957, the Clerk reported 1 bid.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was publicly opened and declared.

It was the bid of San Diego Gas & Electric Company,

Meeting convened  
Visitors welcomed  
Minutes approved  
Purchasing reports on  
1911 Act bids  
Lighting bid

1/29/57

accompanied by certified check for \$67.86 written by San Diego Trust and Savings Bank.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, bid 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 Intention 136916 for paving and otherwise improving Everts Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

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

In the file is a communication from Elsie R. Linville asking questions, and reply from the City Engineer.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 136917 for paving and otherwise improving Orten Street, the Clerk reported written protest from D. E. Wilkinson.

The City Engineer, asked for a report, said that the protest is against an area assessment. There were no oral protests.

RESOLUTION 137448, overruling and denying protest of D. E. Wilkinson, against proposed improvement of Orten Street, Resolution of Intention 136917; overruling and denying all other protests; was on motion of Councilman Burgener, seconded by Councilman Williams, 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 Intention 136918 for installation of sewers in Payne Street, with Greely Avenue and Public Rights of Way, 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 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 furnishing electric energy for 1 year from and including February 28, 1958, 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 137449, confirming and adopting as a whole "Engineer's Report and Assessment for Talmadge Park Lighting District No. 1", 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 proposed ordinance amending Civil Service Rules - Article III, Chapter 2 San Diego Municipal Code - (re residence requirements), the Clerk reported no communications in the file on the subject.

On motion of Councilman Williams, seconded by Councilman Schneider, hearing was continued 1 week, on motion of Councilman Williams, seconded by Councilman Schneider - by

RESOLUTION 137450.



Petition of Wm. A. Scroggs and Associates submitting petition relative to laying groundwork, preliminary to a program to bring into actual being of a "Multi-Purpose Auditorium", for San Diego - to be erected by private capital and be presented to the City as a gift, was presented.

RESOLUTION 137451, referring petition of W. A. Scoggs and Associates re Auditorium to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of George F. Cake Company for furnishing 10 Police Sirens @ \$117.75 each, or total of \$1,177.50 terms 2% - 30 days plus tax, was presented. There were 2 bids.

RESOLUTION 137452, accepting bid of George F. Cake Company for furnishing Police Sirens; 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 Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Callahan Bros. for construction of 2 Tennis Courts in Pacific Beach Community Center, Diamond and Gresham Streets - \$13,664.00, was presented. There were 5 bids.

RESOLUTION 137453, accepting bid of Callahan Bros. for construction of tennis courts; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Griffith Company for construction of sidewalks and parking areas in South Clairemont Park - \$9,375.39, was presented. There were 7 bids.

RESOLUTION 137454, accepting bid of Griffith Company for construction of sidewalks and parking areas; awarding contract, authorizing and directing 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.

Councilman Curran asked about the next item.

The City Manager made an explanation.

Councilman Curran asked if it is dangerous.

The City Manager said that the existing trees are dangerous.

RESOLUTION 137455, accepting bid of Grindle & Heinkel for complete removal of 25 Monterey Cypress Trees located on public property at Mt. Hope Cemetery for The City of San Diego - for \$25,00.00; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

Communication from Purchasing Agent, approved by City Manager, recommended acceptance of the low bid. There were 4 bids.

1/29/57

As a result of the item which appears on the previous page of these Minutes, Mayor Dail asked if the City could sell the City-owned cemetery.

The City Manager said to the Council that perpetual care has been accepted; properties have been accepted and dedicated for the cemetery purposes. He said "it can't be used for any other purpose".

Mayor Dail asked that "the old file be pulled out".

RESOLUTION 137456, referring to Council Conference the City Clerk's file relating to Mt. Hope Cemetery, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, recommending acceptance of sole bid of National Steel and Shipbuilding Corporation for furnishing 25 Starting Air Valves (repair parts) for Enterprise engines (for sewage treatment plant - \$2,268.75 plus tax, was presented.

RESOLUTION 137457, accepting bid of National Steel and Shipbuilding Corporation for furnishing Starting Air Valves; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 137458, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for Preparation and Painting of Exterior Surfaces of Balboa Bowl in Balboa Park; Document 546781; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137459, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 - 600 Cu. Ft. Skid Mounted Diesel Driven Air Compressor; Document 547230; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of La Playa Terrace, located in La Jolla area, on Avenida de la Playa, easterly of La Jolla Shores Drive - final map consisting of 4 lots, was presented.

RESOLUTION 137460, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego a contract with Blanche E. Rose, Marguerita B. Rose, Virginia R. Olmstead, A. James Rose and George Clarke Rose for installation and completion of unfinished improvements and setting of monuments required for La Playa Terrace; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 137461, adopting map of La Playa Terrace Subdivision, being subdivision of portion of Pueblo Lots 1280 and 1281; accepting on behalf of the public easements shown for sewer, water, drainage and public utilities, 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 the Council has approved the subdivision map and that easements shown are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

137456 U.C.

137457 - 137461

Purchasing reports

Planning report

1/29/57

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Record of Survey for resubdivision of Lot 12 and portion Lot 11 Block 59 Linda Vista Unit 4, located on Ulric Street between Tait and Comstock in Linda Vista area, was presented.

RESOLUTION 137462, approving tentative map of Record of Survey of Lot 12 and portion Lot 11 Block 59 Linda Vista Unit 4; was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map for resubdivision of Lots 1 and 2 Block 3 North Shore Highlands, located on west side of Everts Street between Missouri and Diamond, in Pacific Beach - R-1 Zone, was presented. It describes the dimensions and sizes, and recommends 5 conditions and suspension of portion of Municipal Code.

RESOLUTION 137463, approving tentative map of North Shore Highlands 4-lot subdivision of Lots 1 and 2 Block 3; suspending portion of the Municipal Code, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map for division of Lot 45 La Jolla Hills into 2 lots, located in La Jolla at southeast corner of Soledad Avenue and Hillside Drive - R-1 zone, was presented. It reports objections voiced at the Planning hearing January 9, 1957. Approval is recommended as result of a majority of people having withdrawn their objections - subject to 9 conditions and suspension of portion of Municipal Code.

RESOLUTION 137464, approving tentative map of La Jolla Hills subdivision of Lot 45; suspending portion of Municipal Code, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, reporting on request of Planning Commission hearing held (hearing requested by the Council, and compliance with Resolution 136979), for placing Civic Theatre in Public Buildings Plan of the Master Plan of The City of San Diego, utilizing area adjacent to easterly line of Park Boulevard between Morley Drive and Laurel Street, was presented. It says that Park and Recreation has reaffirmed former action of January 1, 1955, in which it stated "the Park and Recreation Commission recommends that the Civic Theatre be constructed in that general area of Balboa Park lying east of Park Boulevard between Laurel Street and the Veterans War Memorial Building and the Florida Street Canyon". It says that at public hearing there were no objections to the recommended site shown on Drawing B-639, and the Commission voted 7 to 0 to recommend its adoption and inclusion in the Master Plan. It reports that approval of the Planning Commission included recommendation that existing Master Plan of Parks (Ordinance 3802 adopted July 20, 1948) be amended to provide a site for a Municipal Theatre as shown on said Drawing. It attaches a copy of the department's report to the Commission, which includes a resume of the history of the Civic Theatre, covering the past 10 years. It recommends that the Council have the City Attorney prepare the necessary resolution and hold a public hearing.

There was discussion about previous consideration of the subject.

RESOLUTION 137465, setting hearing for 10:00 o'clock A.M., Thursday, February 14, 1957, to consider amending Master Plan of the City of San Diego to construct Civic Theatre in general area of Balboa Park lying east of Park Boulevard between Laurel Street and Veterans War Memorial Building and Florida Street Canyon, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Suggestions were for hearing in 2 weeks, which would have been on February 12, a holiday. The Council set the 14th, inasmuch as it had determined not to meet on the 13th.

1/29/57

Communication from Gruendler Crusher and Pulverizer Company, dated January 21, 1957, by L. L. Jones, Sales Department, was presented. It relates to possible use of the company's equipment at the new sewage treatment plant.

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

Copy of communication addressed to "City Council/or Whom It May Concern", from Ralph D. Lochner, 1774 39th Street, San Diego 5, dated January 23, 1957, was presented. It suggests as a site selection for any future Civic Auditorium, an area on First Ave. at the canyon where the big bridge is by Palm Ave. intersection. The communication outlines what the writer believes to be advantages.

RESOLUTION 137466, referring to Council Conference communication from Ralph D. Lochner, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from San Diego Taxpayers' Association, 526 Spreckels Building, San Diego 1, dated January 24, 1957, by Colin A. Stillwagen, president, was presented. It says that the Association has been studying proposal of groups for a spring bond issue to construct a Civic Theater. It expresses reasonable doubt as to advisability and economics of a separate facility for a Civic Theater, and, "realizing that the community faces current and pending major financial obligations, the Association recommends that the City Council and City Planning Commission give further study to a combined Civic Theater, Convention-Exhibit Hall, and Sports Arena facility before/sidering separate facilities". (This is what was proposed at the recent bond election, based upon report made by Stanford Research Institute).

RESOLUTION 137467, referring San Diego Taxpayers' Association communication to Council Conference, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Samuel W. Hammill, chairman, Balboa Park Study Committee, buildings subcommittee, dated January 21, 1957, was presented. It says that the subcommittee on buildings is not yet ready to make any specific recommendations concerning the buildings in Balboa Park, and that more time is needed for further study. It requests that all repairs made in the meantime be held at the minimum level required to maintain operations.

Councilman Evenson moved to refer the communication to the City Manager. Motion was seconded by Councilman Williams. After brief discussion, the motion was changed, and the communication was filed.

RESOLUTION 137468, directing notice of filing Assessment 2563 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 2 City Heights Annex 1, Resolution of Intention 131459, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137469, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Birch Street; approving Plat 2917 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 137470, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Franklin Avenue; approving Plat 2931 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 137471, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Sumac Drive, Modesto Street, Juniper Street, Laurel Street, Alley Block 21 Lexington Park, Columbine Street, Olive Street, Alley Block 19 Lexington Park, Fairmount Avenue, Hollywood Park, Public Rights of Way, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The Resolution approves Plat 2877 showing exterior boundaries of district to be included in assessment for work and improvement, and directs 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 ORDERING WORK 137472, for paving and otherwise improving Alley Block 29 Fortuna Park Addition, Resolution of Intention 136785, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 137473, for paving and otherwise improving Alley Block 269 Pacific Beach, Ingraham Street, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 137474, for paving and otherwise improving Alley Block 299 Pacific Beach, Resolution of Intention 136787, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 137475, for paving and otherwise improving Alley Block 1 Ocean Spray Addition, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 137476, for paving and otherwise improving Alley Block 318 Reed and Daley's Addition, 28th and 29th Streets, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 137477, for installation of street lights on Wisteria Drive, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 137478, for paving and otherwise improving Birch Street, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

1/29/57

RESOLUTION OF PRELIMINARY DETERMINATION 137479, for paving and otherwise improving Franklin Avenue, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 137480, for paving and otherwise improving Sumac Drive, Modesto Street, Juniper Street, Laurel Street, Alley Block 21 Lexington Park, Columbine Street, Olive Street, Alley Block 19 Lexington Park, Fairmount Avenue, Hollywood Park, Public Rights of Way, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 137481, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric energy in Talmadge Park Lighting District 3, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 137482, ascertaining and declaring wage scale for paving and otherwise improving Santa Margarita Street, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 137483, ascertaining and declaring wage scale for removal and replacement of street lights in 7th, 8th, 9th, 10th, 11th, 12th Avenues, B and C Streets, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 137484, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 331 Choate's Addition, Resolution of Intention 133816, and to be assessed to pay expenses; directing Clerk at time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137485, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving 52nd Street and El Cajon Boulevard, Resolution of Intention 131460, and to be assessed to pay expenses; directing Clerk at time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137486 is shown on the next page

RESOLUTION 137487, approving diagram of property affected or benefited by work of improvement to be done on installation of sewers in Hillside Drive, Lookout Drive, Primrose Drive, Soledad Avenue, Boulevard Place, Roseland Drive, Torrey Pines Road, Ardath Road, Hidden Valley Road and Public Rights of Way, Resolution of Intention 133345, and to be assessed to pay expenses; directing Clerk at time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.



RESOLUTION 137486, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Hartford Street, Resolution of Intention 132503, and to be assessed to pay expenses; directing Clerk at time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137487 is shown on the preceding page.

RESOLUTION 137488, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Kendall Street, Resolution of Intention 133814, and to be assessed to pay expenses; directing Clerk at time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137489, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Loring Street and Lamont Street, Resolution of Intention 132900, and to be assessed to pay expenses; directing Clerk at time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137490, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Montalvo Street, Clovis Street, Camulos Street, West Point Loma Boulevard, Valeta Street, Famosa Boulevard, Soto Street, and Mentone Street, Resolution of Intention 132011, and to be assessed to pay expenses; directing Clerk at time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137491, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 23 Bird Rock Addition, Resolution of Intention 135094, and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137492, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 2 Normal Heights, North Mountain View Drive, and Arthur Avenue, Resolution of Intention 134048, and to be assessed to pay expenses; directing Clerk at time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137493, directing City Engineer to furnish

1/29/57

diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 64 University Heights, and Meade Avenue, Resolution of Intention 134050, and to be assessed to pay expenses; ~~and immediately deliver diagram certified to~~ directing Clerk at time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137494, adopting recommendation of City Engineer, Document 546969; authorizing City Engineer to amend proceedings for improvement of portion of Kurtz Street in accordance with the recommendation, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Harbor Commission, by John Bate, enclosing for Council approval, Agreement to amend California Cartage Company's lease covering premises near Foot of Sicard Street, was presented. Amendment increases leased area to include premises formerly held under Tideland Use and Occupancy Permit - done to facilitate expenditure for expansion ~~of expansion~~ of facilities.

RESOLUTION 137495, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment 2, copy on file in office of City Clerk as Document 547054, entered into between The City of San Diego acting by and through Harbor Commission of the City, as Lessor, and California Cartage Company, Inc., a corporation, as Lessee, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Harbor Commission, by John Bate, enclosing for Council approval, Assignment of lease covering portion of Kona Kai area - 400 feet of tidelands on Shelter Island adjoining basic Kona Kai premises, necessitated by merger of Kona Kai Corporation with Kona Kai Club Motel, Inc., was presented.

RESOLUTION 137496, ratifying, confirming and approving Lease Assignment, copy on file in office of City Clerk as 547059, entered into between Kona Kai Corporation, a California corporation, assignor, and Kona Kai Club Motel, Inc., a Delaware corporation, assignee, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Harbor Commission, by John Bate, enclosing for Council approval, form of Amendment of Tideland Lease, Amendment 1, with Travelodge Corporation covering premises at intersection of Scott and Garrison Streets, was presented. It increases area by including adjacent 1471 square feet formerly held under a separate lease which has expired. It increases rental for premises to be used for parking and landscaping.

RESOLUTION 137497, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment 1, copy filed as Document 547064, entered into between The City of San Diego, acting by and through Harbor Commission of the City, as lessor, and Travelodge Corporation, a corporation, as lessee, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 137498, authorizing San Diego Gas & Electric Company to install 6000 lumen overhead street lights and 20,000 lumen ornamental lights (to be added to general street lighting contract) as specified in the resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

137494 - 137498

Engineer's communication

Harbor Dept's communications

RESOLUTION 137499, approving plans of the Union Oil Co. of California for reconstruction of the Company's local bulk storage plant, upon conditions and recommendations of the Fire Marshall - attached to the plans = copy filed as Document 513086, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 137500, accepting offer of A. W. Livett and Associates, a co-partnership, Document 547301, for \$550.00 for surveys and research work, preparation of plans, etc., for storm drain at University Avenue and 45th Street - and extending period of performance of contract under Document 543830, to and including first day of May, 1957, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 137501, authorizing and empowering City Manager to do all work in connection with installation of 350 feet of 6" AC water main, gate valves, and a fire hydrant in Oliphant Street, from Willow Street to Evergreen Street, by appropriate City forces in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 137502, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, agreement with Paul L. Horrner, doing business as Marine Advisers, of San Diego, as specialist in oceanography and hydraulics, not to exceed \$22,000.00, for examination and development of technical information on Mission Bay, and present a clearly written report to the City, etc., under Document 547302, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The next item was brought up under unanimous consent at the end of the meeting, but numbered at this point by request, so that it could be presented at a civic luncheon today.

RESOLUTION 137503, commending and congratulating Robert Breitbard, president and founder of the Breitbard Athletic Foundation, its officers and staff, for the decade of service to San Diego athletes; expressing on behalf of citizens of San Diego its sincere gratitude for the continued splendid efforts of the organization, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The resolution, which goes into detail about the establishment and the principles, as well as the 120 "Star of the Month" plaques presented, and the "Star of the Year and San Diego Hall of Fame" trophies, calls attention to San Diego's unusual and proud position as the "Home of Champions".

RESOLUTION 137504, accepting and consenting to assignment filed in office of City Clerk as Document 547303, executed by Foster and Kleiser Company, Assignors, and W. R. Grace and Company, Assignees, lease covering 9 parcels of City-owned land used for outdoor advertising purposes; authorizing and empowering City Manager to evidence such consent and acceptance by signing the assignment, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

1/29/57. . . .

RESOLUTION 137505, approving request of Ace Electric Company, January 11, 1957, Change Order 2, for extension of 30 days to and including February 20, 1957, Document 547118, in which to complete contract for electric addition to Police Station, contract Document 538501, extending completion time to February 20, 1957, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 137506, approving request of A. R. Kingaard, January 14, 1957, Change Order 1, for extension of 14 days to and including January 27, 1957, Document 547120, in which to complete contract for Boat Launching Ramp in Dana Basin, Mission Bay, contract Document 543716, extending completion time to January 27, 1957, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 137507, approving request of A. R. Kingaard, January 14, 1957, Change Order 1, for extension of 14 days to and including January 27, 1957, Document 547122, in which to complete contract for improvement of Castella Road southeasterly of Crespo, contract Document 543717, extending time for completion to January 27, 1957, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137508, approving Change Order 1, January 11, 1957, Document 547124, issued in connection with contract between The City of San Diego and Rogers Construction Company for construction of Morena Boulevard, Linda Vista Road to Clairemont Drive, contract Document 544095; changes amounting to increase in contract price of approximately \$3,723.60, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137509, authorizing Property Supervisor to purchase Lots 6 and 7 Block 412 H. C. Skinner's Addition from Wilbur W. Easton, County Tax Collector; authorizing City Auditor and Comptroller to pay \$500.00 as consideration from Ordinance 7260 (New Series), was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137510, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion northerly of the westerly prolongation of northerly line of Hawthorn Street, naming it Jacot Lane; portion southerly of westerly prolongation of northerly line of Hawthorn Street, naming it Hawthorn Street; directing City Clerk to file in office of County Recorder certified copy of the Resolution, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted. Resolution says that the Council heretofore rejected offer to dedicate public street of lands "Reserved for Future Street" in Lots 64, 65, 66, 67, 69 Arnold Knolls; the Council now deems it to be in the best interests of the City to rescind former action, and accept the land. The Resolution rescinds the former action and now accepts on behalf of the public the land marked "Reserved for Future Street". The resolution authorizes request that all penalties and other expenses in connection therewith, and that all deeds to The State of California for delinquent taxes be cancelled; and authorizes and directs Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137511, 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 4 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 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137512, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots 24 through 28 inclusive, and westerly 2.83 feet Lot 23 in Block 3 Park Addition; also portions of Laurel Street closed and Maple Street closed - reserving right to install private sewer lateral in portion Lot 28 to service only Lots 21, 22 and 23; - 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137513, 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 1290, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137514, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against southerly 5.0 feet Lot 6 Block C Starkey's Prospect Park, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137515, authorizing Charles C. Dail, Mayor, to attend Second National Jet Age Conference of the Air Force Association, to be held February 14 and 15, 1957, in Washington, D.C., and incur all necessary expenses, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137516, approving claim of Edward F. Drensek, Document 546080, in amount of \$53.95; authorizing City Auditor and Comptroller to draw warrant in favor of Edward F. Drensek, c/o Mrs. Bernice M. Thomas, 4102 Altadena Avenue, San Diego 5, in full payment of claim, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137517, approving claim of Mrs. L. A. Florentin, Document 546555, in amount of \$4.15; authorizing City Auditor & Comptroller to draw warrant in favor of Mrs. L. A. Florentin, 2807 28th Street, San Diego, in full payment of the claim, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137518, denying claim of Frank Ciskowski, 4335 Bonillo Drive, San Diego 15, Document 546402, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137519, denying claim of John P. and Jeanette R. Gallagher, 2735 Felton Street, San Diego 4, Document 546401, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137520, denying claim of Mrs. Louise H. Jennings, 5424 Waverly Avenue, La Jolla, Document 546189, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137521, accepting deed of Drake Factors Co., Inc., January 22, 1957, conveying Lot 11 David's Subdivision of Ex-Mission Lot 39; 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.

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 written or printed copy.

ORDINANCE 7302 (New Series), proclaiming a Municipal Primary Election in The City of San Diego, California, for voting on nomination of candidates for members of the Council from Districts 1, 3, and 4, and for members of the Board of Education; proclaiming a Municipal Primary Election in that portion of San Diego Unified School District lying outside the corporate limits of The City of San Diego, for voting on nomination of candidates for members of Board of Education to be nominated at the Municipal Primary Election to be held in The City of San Diego on Tuesday, the 12th day of March, 1957, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Nays-None. Absent-None Mayor/Dail.

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 written or printed copy.

ORDINANCE 7303 (New Series), appropriating \$95,000.00 out of Capital Outlay Fund for acquisition of land to be used for public works yard, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.



1/29/57

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

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

ORDINANCE 7304 (New Series) appropriating \$25,000.00 out of Unappropriated Balance Fund of City of San Diego for funds for marine engineering study of Mission Bay, 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 Burgener, seconded by Councilman Kerrigan, the next ordinance was introduced.

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

ORDINANCE 7305 (New Series) appropriating \$15,000.00 out of Capital Outlay Fund for constructing Tennis Courts at Pacific Beach Community Center, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

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

ORDINANCE 7306 (New Series) appropriating \$10,300.00 out of Capital Outlay Fund for constructing sidewalks and parking area in South Clairemont Park, 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 Williams, seconded by Councilman Schneider, the next ordinance was introduced.

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

ORDINANCE 7307 (New Series) appropriating \$2,500.00 out of Unappropriated Balance Fund and transferring same to non-personal expense, Mayor's Fund, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

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 written or printed copy.

ORDINANCE 7308 (New Series), appropriating \$550.00 out of Capital Outlay Fund for preparation of plans and specifications for construction of storm drain at 45th and University, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

Ordinance amending Article IV Chapter 6, by adding Sections 64.21, 64.21.1, 64.21.2, 64.21.3, 64.21.4, 64.21.5, 64.21.6 and 64.21.7 Regulating Sewage Disposal, was on motion of Councilman Schneider, seconded by Councilman Evenson, introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

Ordinance amending Sections 62.0201, 62.0203 and 62.0206 of San Diego Municipal Code, Regulating Type and Amount of Performance Bond, was introduced, on motion of Councilman Evenson, seconded by Councilman Curran, 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:

It was communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Twain Heights Unit 3, located near Crawford and Twain Streets, in the Allied Gardens area, consisting of 21 lots, subject to posting bond in amount sufficient to insure installation of required improvements.

RESOLUTION 137522, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Solomon Building Company, a corporation, for installation and completion of unfinished improvements and setting of monuments required for Twain-Heights Unit 3 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 137523, adopting map of Twain Heights Unit 3, a subdivision of Lot 3 Block 50 Grantville and Out Lots; accepting on behalf of the public Wanda Court, Delor Court, and easements shown for sewer, water, drainage and public utilities, for public purposes; declaring them to be public streets and easements dedicated to public use; rejecting as dedication for public street portion shown as "Reserved for Future Street"; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that the Council has approved the subdivision map and that public streets and easements are accepted on behalf of the public; and that the Council rejects as a dedication for a public street the portion shown as "Reserved for Future Street"; directing City Clerk to transmit map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

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

Proposed Resolution was read to the Council by the Clerk.

7308 N.S. -

Ords intr.

Planning communication - 137522 - 137523 - U.C.

Res. - U.C.

The proposed resolution has to do with proposed State Highway (freeway) located between F and G Streets (Road XI-SD-200-SD), the grade, crossing at 22nd Street, and possible appearance by a member of the Council to present the Resolution.

Councilman Williams moved to eliminate "or near" from the resolution.

Councilman Curran said that there was to be only lowering of the grade; nothing else.

Aaron Reese, Asst. City Attorney, stated that all he had to go on (in preparation of the resolution) was comments made in Conference.

The Mayor said "both things were being discussed".

Mr. Reese said that the resolution refers to the 22nd Street grade.

Mayor Dail read the resolution.

Councilman Schneider moved to strike "at or near".

Councilman Curran moved to strike "future".

Mr. Reese said that 2 things are being talked about.

The Mayor read a portion of the resolution again.

Councilman Curran moved to strike "future" and "near".

The Mayor said that at or near doesn't mean 23rd or 24th.

Councilman Burgener moved to strike "future".

Councilman Williams moved to strike "or near". Motion was seconded by Councilman Schneider.

The Mayor read the resolution (as stricken).

RESOLUTION 137524, requesting State Division of Highways to lower grade of proposed State Highway to be constructed within the City of San Diego (Road XI-SD-200-SD), at State expense, so as to permit a crossing for vehicles at 22nd Street at present grade of 22nd Street; requesting the State Division of Highways to construct, at State expense, said crossing at 22nd Street at such time as traffic conditions justify such crossing; requesting the State Highway Commission to make provisions for a member of the Council to appear and present the request of the City of San Diego, if necessary; directing City Clerk to furnish certified copy of the resolution to the State Highway Commission, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 137525, expressing regret and a feeling of loss at the unexpected death of William Elmer Warner, Deputy Chief of Police, commending his conduct as a citizen and police officer for his splendid, courteous constant efforts in behalf of the enforcement of the law, and mark with pride his tenure in office as an example to his fellow officers, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The resolution tells of death on January 25, 1957, a victim of heart failure while on active duty, and recites his rise in the Police Department which he entered on May 16, 1931, on various promotions to Deputy Chief, October 16, 1947. It speaks of his personal bravery and courteous treatment towards the public at all times, and active interests in civic affairs outside his official duties as well as having worked toward betterment of his home City in social and religious areas.

The Mayor announced that the Council would be in conference at 2:00 P.M. today.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:27 o'clock A.M.

FRED W. SICK, City Clerk

By

*G. M. Hadstorn*

Deputy

*Charles Dail*

Mayor of The City of San Diego, California

137524 - U.C.

137525 - U.C.

Meeting adjourned

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, January 31, 1957

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

Resolutions and ordinances for this meeting are recorded  
on Microfilm Roll 125.

The hour of 10:00 o'clock A.M. having arrived, time set  
for hearing on rezoning portions of Blocks 45 and 46 City Heights, from  
R-4 to C and RC, in vicinity of Van Dyke Avenue, commencing 150 feet north  
of University 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.

Ordinance incorporating Lots 31, 32 and 33 Block 44;  
Lots 16, 17, 18 Block 45 City Heights, into RC and C Zones, defined by  
Sections 101.0409 and 101.0411 respectively of San Diego Municipal Code  
and repealing Ordinance 13057 insofar as it conflicts, was introduced,  
on motion of Councilman Schneider, seconded by Councilman Williams.

The hour of 10:00 o'clock A.M. having arrived, time set  
for hearing on rezoning portions of Blocks 70, 71, 78 and 79 City Heights,  
from R-2 to R-4, on both sides of Marlborough Avenue north of Landis  
Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.  
No one appeared to be heard, and no written protests were  
presented.

Ordinance incorporating Lots 25 to 36 inclusive, Block 70;  
Lots 13 to 24 inclusive Block 71; Lots 1 to 4 inclusive Block 76; Lots  
45 to 48 inclusive Block 79 City Heights, into R-4 zone as defined by  
Section 101.0408 of San Diego Municipal Code and repealing Ordinance 13057  
insofar as it conflicts, was introduced, on motion of Councilman Curran,  
seconded by Councilman Schneider.

There was listed on the agenda appeal of Town & Country  
Development, Inc., by Charles H. Brown, president, from denial by City  
Planning Commission on conditional use permit case 941 to build and  
operate service station as part of the hotel development, was presented.

On motion of Councilman Schneider, seconded by Councilman  
Evenson, hearing was set for Thursday, February 14, 1957, at 10:00 o'clock  
A.M.

There was listed on the agenda a hearing requested by  
John D. Butler, attorney, on claim of J. B. Jennings. Mr. Butler had  
requested, by telephone, continuance for 1 week.

On motion of Councilman Schneider, seconded by Councilman  
Williams, hearing was set for 10:00 o'clock A.M., February 7, 1957.

Meeting convened---  
Hearings

1/31/57

Councilman Kerrigan entered the meeting

The next item was taken up at this time, out of order, on the request of Councilman Kerrigan.

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

ORDINANCE 7309 (New Series), incorporating portion of Lot 67 Rancho Mission into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code, and repealing Ordinance 5132 (New Series), insofar as the same conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Curran, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilman Burgener.

Report of Purchasing Agent, approved by City Manager, on low bid of Standard Electric for installation of safety lighting systems and modification of traffic signal at Ryan Aeronautical Company main gate and Harbor Drive - \$3,860.40; 3 bids - was presented. It reports the low bid as 10.2% below the estimate.

RESOLUTION 137526, accepting bid of Standard Electric for installation of Safety Lighting Systems and Modification of Traffic Signal at Ryan Aeronautical Company main gate and Harbor Drive; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, approved by City Manager, on low bids of:

Communications Co. (low bidder meeting specifications) - Item 1-A, 1 Tape Recorder @ \$1,512.50; Item 1, 1 8" speaker @ \$29.70; Item 4, Low Impedance Microphone @ \$67.50 - Total \$1,609.70 terms net plus tax;

Radio Parts Company - Item 5 1 Slim-type Microphone @ \$35.00 terms net, plus tax;

Audio Enterprises (low bidder meeting specifications) - Item 6, 1 Loudspeaker Enclosure @ \$24.50; Item 1, 1 Equipment Rack @ \$73.90; Item 9, 5 Blank Panels @ \$10/00 for the lot; Item 10, 1 Blank Panel @ \$1.50 - Total \$109.90 terms 2% 10 days, plus tax;

Electronic Equipment Distributors, co-low tie bidder - Item 2, 1 Audio Amplifier @ \$76.00; Item 7, 1 Tape Degausser @ \$69.75; Item 11, 1000 ft. Microphone Cable @ \$54.20; Item 13, 1 Sound Effects Filter @ \$192.00 = Total \$391.95 terms net, plus tax (award determined by lot); was presented. Report goes into considerable detail about specifications, recommendations of Superintendent of Electrical Division and Chief Police.

RESOLUTION 137527, accepting following bids and awarding contract for furnishing Tape Recorder and Allied Equipment (as shown above):

Communications Co., Radio Parts Company, Audio Enterprises, Electronic Equipment Distributors; awarding contracts, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contracts pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

1/31/57

Communication from Planning Commission, by Richard L. Weiser, recommending reapproval of tentative map for resubdivision Lots 44, 45 and 46 Block 6 American Park, subject to all conditions of Resolution 131388, was presented.

RESOLUTION 137528, reapproving tentative map of American Park resubdivision Lots 44, 45, 46 Block 6, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending reapproval of tentative map for resubdivision Lots 44, 45 and 46 Block 7 American Park, subject to all conditions of Resolution 131389, was presented.

RESOLUTION 137529, reapproving tentative map of American Park resubdivision Lots 44, 45, 46 Block 7, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending denial of tentative map of Azalea Terrace, a 2-lot resubdivision of Lot 10 and portion Lot 14 Plumosa, located on southeasterly side of Azalea Drive and southerly of Wisteria Drive, in Point Loma, within R-1 zone, was presented. It reports existing conditions in detail. It says "there are a number of lots on Wisteria Drive and Chatsworth Boulevard which extend to Wing Street and it would seem logical that these lots also be divided; in view of lack of improvements in the area, the Commission by vote of 6-0 recommended denial until all property owners concerned start a community plan in the area which should include suitable provisions for necessary improvements.

RESOLUTION 137530, denying tentative map of Azalea Terrace resubdivision Lot 10 and portion Lot 14 Plumosa Park (for reasons set out in the report) was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Councilman Burgener entered the meeting

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Broadway Heights, a 164-lot subdivision of portion Lot 13 Rancho Mission, now within unincorporated area of the county lying northerly of Mallard Street, easterly of Federal Boulevard and adjacent to Del Norte Addition, was presented. It says that petition has been filed with the City requesting annexation, and that approval should be subject to the successful annexation of the property. There are 14 conditions, and suspension of portion of the Municipal Code is recommended.

RESOLUTION 137531, approving tentative map of Broadway Heights; suspending portion of the Municipal Code, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of revised tentative map of City Heights resubdivision Lots 1-4 Block 128, subject to provisions of Resolution 136840, and suspension of portion of the Municipal Code, was presented.

RESOLUTION 137532, approving revised tentative map of City Heights resubdivision of Lots 1 through 4 Block 128; suspending portion Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.



Communication from Planning Commission, by Richard L. Weiser, recommending reapproval of tentative map of Christman Heights, a 1-lot subdivision of portion Lot 18 Ex-Mission Lands, located on northerly side of Federal Boulevard westerly of 47th Street within R-1 Zone, subject to conditions of Resolutions 129161 and 129162, was presented.

RESOLUTION 137533, reapproving tentative map of Christman Heights, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Heritage Addition, for 514-lot subdivision of portion Pueblo Lot 1240, located northerly of Clairemont Boulevard, bisected by northerly prolongation of Genesee Avenue, subject to 15 conditions, and suspension of portion of the Municipal Code, was presented.

RESOLUTION 137534, approving tentative map of Heritage Addition; suspending portion of the Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of revised tentative map of Homesites Unit 4, a redivision of portion Tres Lomas, in Paradise Hills, approved by Resolution 127887 - subject to conditions of that resolution, and additions and revisions, was presented.

RESOLUTION 137535, reapproving tentative map of Homesites Unit 4, subject to conditions of Resolution 127887, additional conditions, and revision of a condition, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Jarcanda Heights, a 4-lot subdivision of portion Section 33, T16W, R2W, S.B.B.M., located on easterly side of Altadena Avenue southerly of Altadena Heights, adjacent to Water Department's pipeline right of way, within R-1 Zone, subject to 5 conditions, together with suspension of portion of the Municipal Code, was presented.

RESOLUTION 137536, approving tentative map of Jarcanda Heights; suspending portion of Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of La Mesa Colony 2-lot subdivision of portion Lot 21, located on easterly side of Seminole Drive between Stanley Avenue and Acorn, within R-1 Zone, was presented. It is subject to 5 conditions, together with suspension of portion of the Municipal Code.

RESOLUTION 137537, approving tentative map of La Mesa Colony; suspending portion of Municipal Code, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending reapproval of tentative map of Loma Villas, a 141-lot subdivision of portion Pueblo Lots 210 and 220, originally approved by Resolution 130595 amended by Resolution 131394, subject to conditions of those resolutions, was presented. It also recommends addition and revision.

1/31/57

RESOLUTION 137538, approving tentative map of Loma Villas, approved by Resolution 130595 and amended by Resolution 131494, together with addition and revision, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map for 2-lot subdivision of Lot 6 and portion Lot 7 Los Terrenitos, located in Encanto on northerly side of Brooklyn Avenue, westerly 68th Street, within R-4 zone, subject to 5 conditions, and suspension of portion of ~~then-of~~ Municipal Code, was presented.

RESOLUTION 137539, approving tentative map of Los Terrenitos, portion Lot 7 (and permitting filing as record of survey in lieu of final subdivision map; suspending portion of Municipal Code, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of ~~portion~~ Muirlands Acres Unit 4, a 3-lot subdivision of portion of Pueblo Lot 1774, located on westerly side of La Jolla Mesa Drive, southerly of Buckingham Drive, within R-1B Zone, subject to 10 conditions, and suspension of portion of Municipal Code, was presented.

RESOLUTION 137540, approving tentative map of Muirlands Acres Unit 4; suspending portion of Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Record of Survey for 2-lot resubdivision of Lots 27 & 28 Block 1 Ocean Spray Addition, located at corner of Bayard and Loring Streets in Pacific Beach area, was presented.

RESOLUTION 137541, approving filing of record of survey map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code, for division of Lots 27 and 28 Block 1 Ocean Spray Addition, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of request of subdivider's engineer for omission of Item 1 of Resolution 131161 in connection with tentative map of Parker Hill, was presented.

RESOLUTION 137542, approving tentative map of Parker Hill, to delete Item 1 from Resolution 131161, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending reapproval of tentative map of Point Loma Heights, Block 93 Lot 5 and portion Lot 4, approved by Resolutions 122287 and 122288, re-approved by Resolution 130838, located at southwest corner of Coronado Avenue and Guizot Street, subject to conditions of those resolutions, was presented.

RESOLUTION 137543, approving tentative map of Point Loma Heights, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser,

recommending approval of tentative map of Princess Park, a 67-lot subdivision of portion Lots 9 and 10 David's Subdivision, located on Kearny Mesa on easterly side of Edlwhar Avenue and Magnolia Street, was presented. It says that original tentative map of Princess Park was located in Lot 11 David's Subdivision, which is immediately south. It says that a trade has been made in that the School Board desired Lot 11 as site for an elementary school. Recommendation covers 14 conditions, and suspension of portion of Municipal Code.

RESOLUTION 137544, approving tentative map of Princess Park; suspending portion of the Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Record of Survey on Resubdivision of Lots 10, 11, 12 Block 39 Roseville and southwesterly 15 feet of Emerson Street closed, was presented.

RESOLUTION 137545, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code on portion Roseville and Emerson Street closed; was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of San Rafael Unit 2, for adjustment of lot lines between Lots 16 and 17, was presented - subject to 5 conditions, and suspension of portion of the Municipal Code.

RESOLUTION 137546, approving tentative map of San Rafael Unit 2; suspending portion Municipal Code, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of revised tentative map for division of Lots 1, 2, 3, 4, 5, 6 Block 442 Seaman's Subdivision, located at Torrence Street and Reynard Way in R-4 zone, subject to conditions of Resolution 134714, and suspension of portion of Municipal Code, was presented.

RESOLUTION 137547, approving tentative map of Seaman's Subdivision, revised, subject to previous conditions, and suspension of portion of the Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Shattuck Highlands Unit 1, consisting of 48 lots located north of Clairemont Unit 4 and easterly of Glen Oak Heights Unit 1, subject to posting of bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 137548, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with J. R. Shattuck and Deborah Shattuck, for installation and completion of unfinished improvements and setting of monuments required for Shattuck Highlands Unit 1 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137549, adopting map of Shattuck Highlands Unit 1, being subdivision of portion Pueblo Lot 1240; accepting on behalf of the public, streets, portion of street: Gallatin Way, Havasupai Avenue, Hidalgo Avenue and portion of Osceola Avenue, and easements shown for sewer, water, drainage and public utilities for public purposes; declaring

1/31/57

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 the Council has approved the map and that streets and easements are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Vista de Alcalá, a 1-lot subdivision of portion Lot 67 Rancho Mission - site for a proposed Catholic Church adjacent to Allied Gardens Unit 6, located on southerly side of Navajo Road, easterly of Waring Road, was presented. It says that in view of lack of improvements in the area, subdivider asked to be granted temporary access at southwest corner of the subdivision until such time as College Avenue and Waring Road are improved. It says the Commission had no objection to the proposal provided subdivider sign enforceable agreement with the City in which right of access can be withdrawn at option of the City. The communication says that the agreement should provide for future dedication and construction by the subdivider of a turnaround or other suitable means of access to the proposed lot when adjacent property to the south is subdivided. It reports that the Commission voted 6-0 to recommend approval of the tentative map, subject to 6 conditions, and suspension of portion of Municipal Code.

RESOLUTION 137550, approving tentative map of Vista De Alcalá; suspending portion of the Municipal Code, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by P. Q. Burton, recommending that in order to remove conflict between Ordinances in the zoning of portion Lot 13 New Riverside, and carry out intent of the City Council, Ordinance 6431 (N.S.) be repealed, was presented.

RESOLUTION 137551, adopting recommendation of City Planning Commission for repeal of Ordinance 6431 New Series; requesting City Attorney to prepare and present ordinance to repeal that ordinance, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by P. Q. Burton, recommending interim regulation similar to R-1 on Lot 33 New Riverside and Lots 9 & 10 David's Subdivision, was presented. It says that the City of San Diego is offering to sell at public auction 16.4-acre tract of subdivision land, located in rapidly-growing Cabrillo Heights area, south of Montgomery Field, and is negotiation for sale or trade of in David's subdivision adjoining the property on the east. It says that the property is not now zoned, but is bounded on 2 sides by R-1.

RESOLUTION 137552, adopting recommendation of Planning Commission re zoning; requesting City Attorney to prepare and present the necessary ordinance establishing interim regulation similar to R-1, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by P. Q. Burton, stating that the Council introduced an ordinance to annex a triangular parcel of land at northeast corner of 54th Street and Euclid Avenue, that that owner of the land has requested that portion of the property be placed under interim regulations similar to RC-1A zone and another portion under C-1A regulations. It reports that the Commission recommended by 6-0 vote that the Council adopt emergency regulation on property shown on drawing B-769.

RESOLUTION 137553, adopting recommendation of City Planning

1/31/57

Commission, requesting emergency regulation on property to be annexed (as Demers Tract Annexation); requesting City Attorney to prepare and present ordinance establishing restrictions, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by P. Q. Burton, forwarding petition asking that minimum front setback of 30 feet be established for Lots 1-4 inclusive Block 3 College Park Unit, on north side of Montezuma Road from Campanile Drive westerly, was presented. It says that the lots have not previously had a specific setback, although lots abutting on the west have existing setbacks beginning at 30 feet and diminishing to 15 feet; property is zoned R-4. The report gives a detailed description of existing conditions, and says that the Planning Commission voted 6-0 to recommend establishment of a 30-foot setback as shown on Drawing B-768.

Asked about the situation, the City Manager made an oral report.

RESOLUTION 137554, requesting City Attorney to prepare and present ordinance establishing setback on portion of Montezuma Road, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by P. Q. Burton, recommending granting petition for changing name of Hypatia Drive to Hypatia Way, was presented. It tells of hearings, notices posted, and of no protests. It says that all departments and agencies have approved the proposed change, and City Engineer states that no permanent street signs have been posted on the street.

RESOLUTION 137555, adopting recommendation of City Planning Commission, and requesting City Attorney to prepare and present ordinance to change name of Hypatia Drive to Hypatia Drive, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Street Superintendent, approved by Assistant City Manager, on petition of San Diego Unified School District to close 30th Street between north line of A Street and north line of E. W. Morse's Subdivision", continued from a previous meeting, was presented. It gives a detailed report of conditions, recommends petition be granted and proceedings be instituted under "Street Vacation Act of 1941". It says that Board of Education at meeting on November 28, 1956, authorized payment of incidental expenses of the closing.

RESOLUTION 137556, adopting recommendation of Street Superintendent re closing 30th Street; instituting closing under "Street Vacation Act of 1941", was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Fred A. Brown and George D. Hall (no addresses) speaking of locations for civic auditorium, etc., Padre baseball situation, etc., was presented.

The Clerk was directed to notify the signers, on motion of Councilman Schneider, seconded by Councilman Williams. (No notice was sent by the Clerk, inasmuch as it could not be determined where the writers are located).

Communication from Willis Richardson, 3630 Fir Street, complaining that Telephone Company is breaking the Municipal Code Article

1/31/57

1 Chap IX Sec 91.39 on moving of structures, was presented.

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

Communication from National Association for Advancement of Colored People, San Diego Branch, 333 Plaza Park Bldg., room 309, dated January 28, 1957, by J. Edward Lee, M.D., and Katherine Tracy, was presented. It says that in "interest to the growth and betterment of the City of San Diego, that we should like to present on the floor of the Council Chambers February 19, 1957". It does not state the subject to be presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the Clerk was directed to list the item on the agenda for that date under communications, and notify the correspondent.

Communication from Charles E. Salik, Bank of America Building, San Diego 1, and 75 Federal Street, Boston 10, on letterhead of Salik & Co., incorporated, principal underwriters, Electronics Investment Corporation, Shareholders' Trust of Boston, dated January 28, 1957, was presented. Mr. Salik tenders his resignation as a member of the Civil Service Commission of the City of San Diego, effective on the date of the letter. It says "My reason for submitting my resignation at this time is due to a matter of principle and an honest difference of opinion". It expresses and honor to have had the opportunity to serve the citizens of San Diego both in the capacity of City Planner as well as member of the Civil Service Commission, and says that the writer has benefited greatly from his 5 or more years' association with San Diego City government. It concludes by saying "It is my hope that my services have, in some measure, helped the progress of this great city". The communication shows copies as having been sent to the Mayor, individual members of the Council, the Asst. City Attorney, the City Attorney, the Personnel Director, the President of the Civil Comm.

RESOLUTION 137557, accepting resignation as member of the Civil Service Commission of the City of San Diego, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The communication was filed, and the Mayor requested to answer.

The next item was presented under unanimous consent by the Mayor:

RESOLUTION 137558, ratifying appointment of Mr. Marion Harris to the Civil Service Commission, to file vacancy created by resignation of Charles E. Salik, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Shoreline Planning Association of California, Incorporated, 506 Santa Monica Boulevard, Santa Monica, California, dated January 25, 1957, by Carr S. Pechtel, president, was presented.

It speaks of past participation by the City of San Diego and tells of need to be united from one end of the coast to the other "if we are going to get money to advance development of the Beaches and Parks, etc". It asks for reconsideration, and the City of San Diego again becoming a member of the organization.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was referred to the Mayor for reply.

Communication from Mrs. L. Smith, Jr., 220 - 20th Street, dated January 23, 1956, regarding sewer service charge "I simply can't afford such a high tax rate...." On motion of Councilman Evenson, seconded by Councilman Burgener, it was referred to the City Manager.

Communications  
137557

137558 under U.C.



Communication from State of California Department of Public Works, G. T. McCoy, State Highway Engineer, by C. E. Bovey, Engineer of City and Cooperative Projects, dated January 25, 1957, was presented. It urges expediting submission of annual budget in the usual manner through the District Office of the Division of Highways for both the 5/8¢ gas tax fund and the engineering aid and the programming of various projects in order that construction may be performed under most favorable weather conditions, setting out population figures (447,332), \$1,350,940.00; Engineering Aid \$10,000.00; apportionment of the 5/8¢ for third quarter of December of 1956-57 \$356,042.97.

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

Communication from Harbor Commission, by John Bate, dated 29 January 1957, requesting the Council to pass a resolution authorizing construction of a bait and tackle shop on the Municipal Pier - \$4,000.00, by appropriate City forces, was presented.

RESOLUTION 137559, authorizing and empowering Port Director to do all work in connection with construction of Bait and Tackle Shop on Municipal Pier by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Commission, by John Bate, dated 29 January 1957, requesting the Council to pass a resolution authorizing construction of storm drain at foot of Kellogg Street - \$6,700.00, by appropriate City forces, was presented.

RESOLUTION 137560, authorizing and empowering Port Director to do all work in connection with construction of Storm Drain at foot of Kellogg Street by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137561, authorizing and empowering City Manager to execute, for and on behalf of the City, Utilities Agreement 6717 with Division of Highways, Department of Public Works, State of California, covering work to be done on Pacific Highway between 0.4 mile south of Washington Street and Barnett Avenue, Document 547522, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137562, authorizing and empowering City Manager to enter into a contract for and on behalf of The City of San Diego with Frank Moennig and Elizabeth Moennig, 5735 Garfield, La Mesa, California, providing for installation of additional improvements on Linda Vista Road in connection with work to be done under agreement with the City for installation of improvements in Linda Vista Heights, and reimbursement therefor in sum of \$925.00, under Document 547529, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137563, authorizing City Manager to execute, on behalf of the City, agreement between the City and Feather River Project Association, copy of agreement on file in office of City Clerk under Document 547532, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

(It has to do with services to be performed by the Association, and payment by the City to the Association of \$5,000.00).

RESOLUTION 137564, authorizing and empowering City Manager to execute, for and on behalf of the City, lease agreement with R. A. Clayton and Oral M. Clayton, of portion of Montgomery Airport Administration Building for operating restaurant, for 5 years beginning on date of execution of agreement, under Document 547533, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 137565, accepting and consenting to assignment, Document 547540, executed by Alice M. Doyle and Franklin Hall, assignors, and L. Gray Buckner and Lois O. Buckner, assignees, of lease Document 482965 covering portion of Crystal Pier in Pacific Beach; authorizing City Manager to evidence consent and acceptance by signing assignment, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 137566, authorizing and empowering City Manager to execute, for and on behalf of the City, amendment to lease agreement with Crown Air Charter, Incorporated, permitting lessee to sublease Buildings 119 and 120 on Montgomery Field, under terms and conditions of Amendment to Lease Agreements Document 547541, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 137567, authorizing and empowering City Manager to execute, for and on behalf of the City, Termination of Lease Agreement with John G. Simons, terminating lease entered into by Simons of portion of Montgomery Airport Administration Building, lease Document 516648, under Document 547546, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 137568, authorizing and empowering City Auditor and Comptroller to use unexpended funds accrued under former lease agreement filed as Document 485809 entered into between The City and Louise E. Mitchell, James T. Mitchell, Eleanor M. Ray and John C. Ray, for purpose of paying for non-revenue producing capital improvements specified in lease agreement enter into November 14, 1956, under Document 544377, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 137569, authorizing City Clerk to furnish City Manager 25 additional copies of the book "This Fantastic City" for distribution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137570, authorizing and directing City Auditor to transfer \$4,000.00 from Personal Services, Inspection Department Fund (17.02) to Personal Services, Property Department Fund, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137571, 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 Caesar F. Pastore

and/or Helen L. Pastore, Lots 14, 15, 16 Block 39 Western Addition, reserving easement for drainage purposes, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that property was put up for auction on January 22, 1957; Caesar F. Pastore was the high bidder in the amount of \$11,355; accepting said bid and selling the property. It authorizes and empowers City Auditor and Comptroller to refund to Richard T. Hilmen, 4118 Voltaire Street, San Diego, \$210.00 deposited in compliance with the Municipal Code prior to the auction, and to refund to Walter M. McKellar, 1685 Torrey Pines Road, La Jolla, initial deposit made by him in amount of \$150.00. Resolution authorizes and directs City Clerk to deliver deed to Property Supervisor with instructions that it be deposited in escrow for purpose of completing sale; all expenses in connection with sale shall be deducted from proceeds received from the sale.

RESOLUTION 137572, authorizing and directing Property Supervisor to advertise for at least 5 consecutive days, sale at public auction of portion Lot 1 Pueblo Lot 256, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that H. H. Peterson, 3340 West Washington Street, San Diego, has petitioned to have property put up for sale, and has deposited with Property Supervisor \$100.00; City Manager has recommended that property be sold; property is no longer needed for City purposes; value is \$750.00, and minimum amount Council will consider is \$750.00; Council reserves right to reject any and all bids; all expenses in connection with the sale shall be deducted from proceeds.

RESOLUTION 137573, vacating strip of land 10 feet in width acquired for sewer purposes in Lots A and B Encanto, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that since acquisition of easement it has not been used, nor has it been used for purpose for which acquired for 5 consecutive years next preceding proposed vacation; vacation is unnecessary for present or prospective public use; from and after date of order of vacation, title previously subject to easement shall revert to owners of land free from rights of the public; City Clerk shall cause certified copy of resolution, attested by him under seal, to be recorded in office of County Recorder.

RESOLUTION 137574, setting aside for public purposes easement for purpose of right of way for storm drain and appurtenances in portion Pueblo Lot 259; directing City Clerk to file certified copy of resolution in Office of County Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 137575, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of The City of San Diego, quitclaim deed quitclaiming to County of San Diego, all its rights, title and interest in and to Lots 3, 4, 5, 6, 7 Block 336 Choate's Addition, copy filed as Document 547575, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 137576, accepting quitclaim deed of Pacific Telephone and Telegraph Company, December 3, 1956, quitclaiming rear 6

feet Lots 31 to 38 inclusive Block A Boulevard Heights 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 137577, accepting quitclaim deed of Pacific Telephone and Telegraph Company, December 3, 1956, quitclaiming rear 6 feet Lots 1 to 10 inclusive, 13 to 36 inclusive, 40 to 48 inclusive, 52 to 57 inclusive, 78 to 83 inclusive, 91 to 96 inclusive, 104 to 109 inclusive, Boulevard Gardens 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 137578, accepting subordination agreement, executed by San Diego Federal Savings and Loan Association, beneficiary, and San Diego Federal Savings and Loan Association, trustee, January 3, 1957, subordinating all right, title and interest for right of way for public street and incidents, in portion of Lot 24 and street closed adjacent, Block 16 La Mesa Colony Townsite; authorizing and directing City Clerk to file subordination agreement, 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 137579, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Continental Auxiliary Company, trustee, subordinating all right, title and interest in and to easement for right of way for sewer, water, drainage and public utilities and right of ingress thereto and egress therefrom over and across portion of land in Lots 1 and 2 Block 50 and Emerson Street closed, adjacent, Roseville; authorizing and directing City Clerk to file subordination agreement, 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 137580, accepting subordination agreement, executed by San Diego Trust and Savings Bank of San Diego, beneficiary, and San Diego Trust and Savings Bank of San Diego, trustee, December 6, 1956, subordinating all their right, title and interest in and to easement for public sewer and appurtenances in northerly 8.00 feet Lot 27 Block 9 Beverly; authorizing and directing City Clerk to file subordination agreement, 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 137581, accepting subordination agreement, executed by Lawrence J. Gainor and Mabel E. Gainor, beneficiaries, and Security Title Insurance Company, trustee, November 2, 1956, subordinating all right, title and interest in and to easement for right of way for public sewer and appurtenances in westerly 4.00 feet Lot 35 Block 5 Beverly; authorizing and directing City Clerk to file subordination agreement, 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.

1/31/57

RESOLUTION 137582, accepting subordination agreement, executed by Home Federal Savings and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, December 27, 1956, subordinating all right, title and interest in and to easement for right of way for public sewer in northerly 5.00 feet and easterly 5.00 feet Lot 30 Tract 1380, and northerly 5.00 feet and easterly 5.00 feet Lot 30 of Tract 1380, and southerly 5.00 feet and easterly 5.00 feet Lot 37 of Tract 1380; authorizing and directing City Clerk to file subordination agreement, 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 137583, accepting subordination agreement, executed by Sigurd Frostad and Louise Frostad, beneficiaries, and Bank of America National Trust and Savings Association, trustee, December 31, 1956, subordinating all right, title and interest in and to public sewer and appurtenances in northerly 5.00 feet and westerly 5.00 Lot 29 of Tract 1380; authorizing and directing City Clerk to file subordination agreement, 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 137584, accepting deed of Funston C. Johnson and Carol B. Johnson, January 18, 1957, conveying easement and right of way for drainage purposes in strip of land 10 feet in width in strip of land 10 feet in width, in portion Unnumbered Tract of Land in La Mesa Colony; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 137385, accepting deed of Wilbur W. Easton, as Tax Collector of County of San Diego, State of California, January 8, 1957, conveying Lot 41 also known as Parcel 2-124-5 and also known as in First Addition to South La Jolla (Assessor's Map 20), for alley purposes; authorizing and directing City Clerk 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 137586, accepting deed of Lawrence R. Robinson and Audra M. Robinson, January 2, 1957, conveying easement and right of way for sewer purposes in portions of Lot A Encanto; authorizing and directing City Clerk to transmit the 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 137587, accepting deed of John Sedlack, December 7, 1956, conveying easement and right of way for sewer purposes in westerly 5.00 feet of northerly 299.82 feet Lot B Encanto; 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.

1/31/57

RESOLUTION 137588, accepting deed of Pete Corrao and Rose Corrao, November 29, 1956, conveying easement and right of way for sewer purposes in strip of land 10.00 feet wide in Lot 16 of Ex-Mission Partition; authorizing and directing City Clerk 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 137589, accepting deed of Cathleen J. Gray, January 23, 1957, conveying easement and right of way for earth excavation or embankment, slope, or slopes, in portion Lot 49 Block 8 Beverly; authorizing and directing City Clerk to file deed, together with certified copy of resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137590, accepting quitclaim deed of Leebeert Investment Co., a co-partnership, by Leonard Drogin, 6610 El Cajon Boulevard, San Diego, executed on 21st of January, 1957, quitclaiming all water mains, etc., located in public streets, etc., either within or without Campanile Terrace Unit 2; authorizing and directing Clerk of the City 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 137591, accepting quitclaim deed of Leebeert Investment Company, a co-partnership (Leonard Drogin, 6610 El Cajon Boulevard, San Diego), executed on 21st of January, 1957, quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, located in public streets, etc., in Campanile Terrace Unit 3; authorizing and directing Clerk of the City 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 137592, accepting quitclaim deed of John W. Metcalfe and Lucia O. Metcalfe, 850 Prospect Street, La Jolla, quitclaiming to The City of San Diego all water mains, etc., located in public streets, et al., either within or without subdivision named Metcalfe Terrace; authorizing and directing Clerk of the City 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 137593, accepting quitclaim deed of Norman Development Company, a co-partnership composed of Norman R. Smith and Bahia Builders, a California corporation, 1150 Silverado Street, La Jolla, executed 18th day of January, 1957, quitclaiming to The City of San Diego all water mains, etc, located in public streets et al., Clairemont Vista Unit 1; authorizing and directing Clerk of the City 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 137594, accepting quitclaim deed of 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, dated 16th of January, 1957, quitclaiming to The City of San Diego all water mains, etc., located in public streets et al., in Muirlands Panorama; authorizing and directing Clerk of the City to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

ORDINANCE 7310 (New Series), changing name of "Soledad Terrace Park" to "Kate O. Sessions Memorial Park"; repealing Section 2 Ordinance 3813 (New Series) insofar as it establishes the name of "Soledad Terrace Park", 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.

(Ordinance which had been listed on agenda at this point for zoning in Lot 67 Rancho Mission was acted upon earlier, and will be found on page 69 of these minutes).

Continuation of Councilman

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

ORDINANCE 7311 (New Series), setting aside and dedicating portion Lot 20 La Mesa Colony as and for portion of public street, and naming it Acorn 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, 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 7312 (New Series), setting aside and dedicating portions of Lots 20, 21, 23, 24 La Mesa Colony as and for portion of public street and naming it Seminole Drive, was on motion of Councilman Evenson, 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 Curran, seconded by Councilman Schneider, the next ordinance was introduced.

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

ORDINANCE 7313 (New Series) appropriating \$925.00 out of Capital Outlay Fund for paving portion of Linda Vista Road, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

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

ORDINANCE 7314 (New Series), appropriating \$10,000.00 out of Capital Outlay Fund for constructing and installing improvements at La Jolla Community Center (upon condition that sum of \$10,000.00 be contributed by The La Jolla Town Council as a contribution to the work to be performed; and in event said sum is contributed, contribution is set aside and appropriated to be used exclusively for said work), was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Curran, seconded by Councilman Schneider, reading in full prior to final passage was dispensed with by 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 7315 (New Series), appropriating \$4,000.00 out of Capital Outlay Fund, for installation of Safety Lighting on Pacific Highway between Washington Street and Barnett Avenue, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Kerrigan, 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 written or printed copy.

ORDINANCE 7316 (New Series), appropriating \$4,200.00 out of Capital Outlay Fund for installing safety lighting system and modification of traffic signals at Ryan Aeronautical Company's Main Gate on Harbor Drive, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Kerrigan, seconded by Councilman Curran, reading in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for

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

ORDINANCE 7317 (New Series), appropriating \$500.00 out of Unappropriated Balance Fund and transferring same to funds heretofore set aside and appropriated by Ordinance 6219 (New Series) - providing funds to pay street lighting assessments and other utility charges against City-owned property - 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 Schneider, the next ordinance was introduced.

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

ORDINANCE 7318 (New Series), appropriating \$6,000.00 out of Unappropriated Balance Fund and transferring same to non-personal expense, Property Department Fund, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Schneider, 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 7319 (New Series), establishing grade of Calle Arriba between its westerly termination at Morningside Street and Calle Casas Bonitas and a line southerly at right angles to northerly line of Calle Arriba, from point on said northerly line distant 39.16 feet southeasterly and easterly from intersection of northeasterly line of Calle Arriba with easterly line of Morningside 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 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 7320 (New Series) establishing grade of Calle Casas Bonita between its northwesterly termination at Morningside Street and Calle Arriba and a line northeasterly at right angles to southwesterly line of Calle Casas Bonitas, from point on said southwesterly line distant 58.28 feet easterly and southeasterly from intersection of southerly line of Calle Casas Bonitas with easterly line of Morningside 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.

1/31/57

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 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 7321 (New Series) establishing grade of Calle Casas Bonitas between northeasterly line of Morningside Street and line parallel to and distant 25.00 feet northeasterly therefrom, was on motion of Councilman Kerrigan, 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 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 7322 (New Series) establishing grade of Calle Corta between southwesterly line of Morningside Street and line parallel to and distant 25.00 feet southerly therefrom, 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 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 7323, (New Series) establishing grade of Calle Del Sol between southeasterly line of Morningside Street and line parallel to and distant 25.00 feet southeasterly therefrom, 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 Curran, seconded by Councilman Kerrigan, the ordinance incorporating Lots 19 to 22 inclusive Block 32 Mission Bay Park Tract into RC-1A Zone, as defined by Section 101.0409.2 of San Diego Municipal Code, and repealing Ordinance (New Series) insofar as it conflicts, was on motion of Councilman Curran, 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 137595, authorizing and empowering City Manager to enter into agreement, for and on behalf of the City, with Harry McCarthy, Golf Professional, leasing to McCarthy the Professional Shop, Municipal Golf Course at Balboa Park, for purpose of operating golf driving range, etc., Document 547611, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

There being no further business, the Mayor declared the meeting adjourned at 10:17 A.M.

ATTEST: FRED W. SICK, City Clerk Mayor of the City of San Diego, California  
By C. M. Hadist Deputy

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, February 5, 1957

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

Absent--None

Clerk---Fred W. Sick

Mayor Dail called the meeting to order at 10:12 o'clock  
A.M.

Ordinances and Resolutions are recorded on Microfilm Roll 125.

The Reverend Albert M. Smith, pastor of Trinity Methodist Church, 3030 Thorn Street, was introduced by the Mayor. Reverend Smith gave the invocation.

The Mayor announced that 20 Eagle Scouts were present at this meeting, and that they would act as honorary City officials today. He then presented R. King Kauffman, who said that this was Boy Scout Week, with over 20,000 boys in the Scouts in the San Diego area. He expressed appreciation for the courtesy shown by City officials to the Scouts, and then introduced the Field Scouting Secretary.

On motion of Councilman Kerrigan, seconded by Councilman the Minutes for the Council meetings of Tuesday, January 29, 1957, and of Thursday, January 31, 1957, were approved without reading - after which they were signed by the Mayor.

The Scouts actually acted as Mayor, Councilmen, City Manager, City Attorney, and City Clerk. While they made the motions, coached by Council members, the Councilmen whose districts they represented will be shown as making the motions and seconds.

The next item was taken up at this time, out of order.  
RESOLUTION 137596, authorizing City Treasurer to exchange \$1,300,000 of 2-5/8% United States Treasury Certificates of Indebtedness due February 15, 1957, for \$1,300,000 of 3-3/8% United States Treasury Certificates due February 15, 1958; authorizing and directing City Treasurer to sell all or such amount of said investments whenever additional cash is required for purpose for which funds were originally accumulated and placed in the Treasury of the City, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The Purchasing Agent reported in writing on 6 bids opened February 1, 1957, on 1911 Act proceedings for sidewalks in Redwood Street, East Virgo Road, Sue Street, Alice Street, Lynn Street, Juanita and 60th Streets.

On motion of Councilman Burgener, seconded by Councilman Evenson, finding was made that bids had been opened as reported. By the same motion, bids were referred to the City Manager and City Attorney.

The Purchasing Agent reported in writing on 5 bids opened February 1, 1957, on 1911 Act proceedings for lights in India Street, Columbia Street, State Street, et al.

Meeting convened  
Minutes approved  
Eagle Scouts welcomed &  
introduced  
137596 - out of order  
1911 Act bids reported

On motion of Councilman Burgener, seconded by Councilman Evenson, finding was made that bids had been opened as reported. By the same motion, bids were referred to the City Manager and City Attorney.

The hour of 10:00 o'clock A.M. having arrived, latest time set for receiving bids for furnishing electric energy in La Jolla Lighting District 1, for 1 year from and including January 1, 1957, the Clerk reported 1 bid.

On motion made and seconded, bid was publicly opened and declared.

It was bid of San Diego Gas & Electric Company, accompanied by certified check in sum of \$263.64 written by San Diego Trust and Savings Bank.

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

The hour of 10:00 o'clock A.M. having arrived, latest time set for receiving bids for furnishing electric energy in Presidio Hills Lighting District 1, for one year from and including January 31, 1957, the Clerk reported 1 bid.

On motion made and seconded, bid was publicly opened and declared.

It was bid of San Diego Gas & Electric Company, accompanied by certified check in sum of \$46.98 written by San Diego Trust and Savings Bank.

On motion of Councilman Kerrigan, 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 Intention 137018 for paving and otherwise improving Alley Block 21 Fairmount Addition, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard. No one appeared to be heard, and no written protests were filed.

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 137019 for paving and otherwise improving Alley Block 127 San Diego Land and Town Company's Addition, Evans Street and Sampson 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 Curran, 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 137020 for sidewalks in Nutmeg Street, Maple Street, Balsa Street and 54th Street, the Clerk reported no written protests had been received.

The Mayor inquired if anyone was present to be heard.



No one appeared to be heard, and no written protests were filed.  
On motion of Councilman Kerrigan, seconded by Councilman Schneider, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing for vacation of portion of Alleys in Blocks 43 and 44 Paradise Hills Unit 3, under provisions of Street Vacation Act of 1941, 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 Kerrigan, seconded by Councilman Williams, proceedings were referred to City Attorney for Resolution Ordering the Closing.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 137127, for paving and otherwise improving Crown Point 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.  
RESOLUTION 137597, determining that improvement of Crown Point Drive, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 137128, for paving and otherwise improving Melrose 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.  
RESOLUTION 137598, determining that improvement of Melrose Place, Public Rights of Way, Roswell Street, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining 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 of Preliminary Determination 137129, for paving and otherwise improving Nashville Street, with portions of La Salle Street, Western Street, Lapwai and Jupiter Streets, 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 137599, determining that improvement of Nashville Street, La Salle Street, Western Street, Lapwai Street, Jupiter Street, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining 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

2/5/57

hearing on Assessment made to cover cost of paving and otherwise improving La Jolla Mesa Drive, the Clerk reported no appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 137600, confirming and approving Street Superintendent's Assessment 2559, made to cover cost and expenses of paving and otherwise improving La Jolla Mesa Drive, Resolution of Intention 132642; 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 Evenson, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on ordinance which had been continued from January 29, 1957, amending Civil Service Rules, and Article III Chapter 2 of San Diego Municipal Code relating to Civil Service, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

Councilman Kerrigan was excused

Councilman Burgener asked if this ordinance included the safety officers.

The City Manager replied "no", and presented the ordinance. Aaron Reese, Asst. City Attorney, said "now is the time for the hearing". He reviewed the background, and said that all City employees are to live in the County (heretofore they have been required to live within the City). He said the Fire and Police Chiefs had pointed out that there might be personnel delays.

The City Manager said an alternate has been proposed. He said that all employees, excepting safety members, would be limited to 20 miles from the Civic Center. He said it would be inclusive of Del Mar, the foothills, and the Mexican border. He said "it would be a safeguard".

Councilman Evenson asked if that (the 20 miles), would be area or by road.

The City Manager replied "a 20-mile radius". He said that all the livable space is in the livable area.

Councilman Evenson asked if discretion is provided.

Mr. Reese read from the proposed amendment.

Councilman Burgener and Councilman Evenson had a discussion.

The City Manager said that this "is a compromise"; the 2 Chiefs are not fully in favor of the ordinance. He said that effort was made to include practically all the residential areas within 20 miles. He told the Council that there is adequate latitude. He said that he does not want the employees to have other occupations: not farmers. He said there is no objection to their having small farm sites.

Councilman Curran said that should be restricted to the area of operation. He said that if it is a good rule it applies to all.

The City Manager discussed with Councilman Curran the condition for police and fire. He explained their responsibility. He said individuals understood the conditions when they accepted employment with the City. He said "they understood in advance". The City Manager said that distinction can be made between emergency employees.

Councilman Williams discussed with the City Manager regarding occupations.

The City Manager said that there are regulations regarding outside employment. He said that applies to all employees.

Councilman Williams said that could be a problem if they live anywhere.

The City Manager said that the City does not, and cannot prohibit little farm businesses or store. He said that if, for instance, employees were to own a drug store and do all the clerking it would be a violation. He said "it is good for emergency employees to work out in the yard".

He stated that it is a reasonable requirement.

Councilman Schneider said the City should go ahead and try this; it might give a try.

Councilman Burgener spoke about there being many differences.

Councilman Burgener moved to close the hearing.

The Mayor spoke of reason for keeping emergency employees on call.

Councilman Schneider seconded the motion to close the hearing.

There was discussion between Mary Harvey, Executive Secretary of the Municipal Employees Association and Mr. Reese.

Councilman Kerrigan returned

The roll was called on the motion, and the hearing was closed.

Ordinance amending Civil Service Rules, and Article III, Chapter 2, of The San Diego Municipal Code relating to Civil Service, was on motion of Councilman Burgener, seconded by Councilman Schneider, introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

Report of Purchasing Agent, approved by City Manager, on low bid of Climate Conditioning Co., Division of Paul Hardeman, Inc. for addition of complete Air Conditioning System to the Main Library - \$214,077.00; 3 bids - was presented. It says that the Library Commission recommends that acceptance, including deductions for Alternates A and B; also a 10% contingency fund be set aside from bond issue funds for engineering inspection and contingencies.

RESOLUTION 137601, accepting bid of Climate Conditioning Co., Division of Paul Hardeman, Inc., for addition of complete air conditioning system to the Main Library; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Squires-Belt Material Co. for furnishing approximately 60 tons Hydrated Lime for delivery to Lower Otay Filter Plant in 20-ton lots as required @ \$16.50 per ton f.o.b. West End, Calif., plus approx freight charges of \$9.63 per ton - total \$1,567.80 terms net plus tax; 2 bids - was presented. It says that Squires-Belt Material Co. has requested 5% preference for local vendor, and by allowance becomes low bidder.

RESOLUTION 137602, accepting bid of Squires-Belt Material Co. for furnishing Hydrated Lime; 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 Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, on low bids of Mission Pipe and Supply Co. for furnishing Copper tubing of various sizes, Items 1 through 4 at total price of \$11,621.95 terms 1/2 of 1% plus tax; Balboa Pipe & Supply Company, low tie bidder for furnishing Copper Fittings, Items 5 through 17 at total of \$9,136.75 terms 2% plus tax - award determined by lot - 8 bids - was presented.

RESOLUTION 137603, accepting bid of Balboa Pipe & Supply Company for furnishing Items 5 through 17; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

2/5/57

RESOLUTION 137604, accepting bid of Mission Pipe and Supply Co. for furnishing Items 1 through 4 of Copper Tubing; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Daley Corporation for improvement of Franklin Avenue - \$4,020.05, 8 bids - was presented.

RESOLUTION 137605, accepting bid of Daley Corporation for improvement of Franklin Avenue; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Griffith Company for improvement of 12th Avenue and National Avenue, east side of the intersection - \$1,098.60; 2 bids - was presented.

RESOLUTION 137606, accepting bid of Griffith Company for improvement of intersection of 12th and National Avenues; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of Purchasing Agent, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of San Diego Fence Co., Inc. for furnishing and installing Chain Link and Barbed Wire Fencing at Torrey Pines Golf Courses - \$13,706.80; 5 bids - was presented.

RESOLUTION 137607, accepting bid of San Diego Fence Co., Inc. for furnishing and installing chain link and barbed wire fencing at Torrey Pines Golf Courses; 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 City Manager, on low bid of Standard Electric for installation of Traffic Signal and Safety Lighting systems at intersections of Florida Street and University Avenue, and Meade Avenue and Texas Street - \$17,509.70; 3 bids, was presented.

Report says that the low bid is 16.6% below the estimate.

RESOLUTION 137608, accepting bid of Standard Equipment Electric for installation of Traffic Signal and Safety Lighting systems; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137609, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for installation of Traffic Signal

2/5/57

and Safety Lighting Systems at intersection of First Avenue and Robinson Avenues; and First Avenue and Laurel Street; Traffic Signal interconnect system at First Avenue between Robinson Avenue and University Avenue; and on Laurel Street between First Avenue and Fourth Avenue; Document 547577; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137610, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for furnishing and installing materials for ~~furnishing~~ and Unit 201 of Water Main Extensions and Replacements in various locations shown on Specification 200; Document 547576; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of College Grove Center, located at College Avenue and Federal Blvd., consisting of 9 lots, was presented. Recommendation is subject to posting bond in amount sufficient to insure installation of of required improvements.

RESOLUTION 137611, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Title Insurance and Trust Company, a corporation, for installation and completion of unfinished improvements and setting of monuments required for College Grove Center 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 Curran, adopted.

RESOLUTION 137612, adopting Map of College Grove Center Subdivision, a subdivision of portion parcel "O" of Lot 19 Mission Rancho of San Diego; accepting on behalf of the public Ryan Road, Meridian Avenue, Lemarand Avenue and portions of College Avenue, and easements shown for sewers, water, drainage and public utilities and future easements when public improvements have been completed, together with any and all abutters rights of access in and to College Avenue, Ryan Road and State Road XI-S.D.-200, adjacent and contiguous to Lots 1, 4, 5 as shown on the map, 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 the Council has approved the subdivision map and that streets, portions of street 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, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Resolution was adopted on the next communication, but motion was considered and adopted to reconsider the action.

R. W. Whitaker, of the Ed Fletcher Co., asked to be heard. It was his appearance that caused the reconsideration of resolution to approve Planning Commission's recommendation. Communication from Planning Commission, by Richard L. Weiser, recommending approval of Cabrillo Heights Business Center Unit 2, a 3-lot subdivision of portion Lots 37 and 40 Rancho Mission, located on easterly side of Sandrock Road and Greyling Drive, adjacent to Cabrillo Heights Business Center, on Kearny Mesa. It says that property is within R-1 Zone, but petition for rezoning to commercial and R-4 has been started. It says that approval given tentative map does not indicate approval of zoning, but in view of proposed rezoning, 20-foot alleys would be required at rear of Lots 5 and 6. It reports that the Commission voted 6-0 to recommend approval, subject to 11 conditions, and suspension of portion Municipal Code.

2/5/57

Mr. Whitaker said that request has been made to Planning for deletion of some of the improvements -the alley behind the R-4 property. He said he has a petition, which he read, asking for elimination of the alley. The petition reads, in addition to asking for recommendation removal of -"eliminate from City Planner's recommendations, an alley which was to have been placed at the rear of our lots running from Larksdale to Sandroek. We feel that this alley will create a nuisance and will jeopardize the privacy of our rear yards. The alley is not necessary for the development of the R-4 frontage on Greyling Drive". There are 6 signatures on the petition.

Harry Haelsig, Planning Director, showed a map which he explained as he pointed to it. He said there are 2 reasons for the alley: service and relieving of traffic on Greyling. Asked a question about the property, Mr. Haelsig said that the alley would take off 20 feet (of the property to be subdivided); it is 120 feet before taking off; 100 later.

Mr. Whitaker said that it is not possible to do what is asked by Planning; there would be a slope, and drivers could drop off, and it would result in taking more property, for slope.

Individual Councilmen discussed the situation with Mr. Whitaker.

Mr. Whitaker showed a plot plan which had been made by Mr. Paderewski.

Mr. Haelsig said that the reason is because of R-4; it is the policy; the ordinance says there shall be alleys in R-4 and commercial property.

Councilman Williams discussed that point, and Mr. Haelsig spoke of the traffic load which would result from the permitted uses.

Mr. Whitaker passed around pictures.

Councilman Kerrigan discussed with Mr. Whitaker the density of population.

Mr. Whitaker said "there is 3 to 1 parking across the street; it was rezoned 1 or 2 years ago.

Asked a question about the rezoning, Mr. Haelsig replied that there was nominal objection to the rezoning. He said there would have been preference of R-C to R-4.

Wm. Lawrence, engineer for the subdivider, held up a map which he explained. He said that people don't like their back yards exposed to the view from the alley. He pointed out that there would be surface drainage into the street.

Question was asked which "requirement" number covered the point under discussion.

The Mayor replied that it was "No. 1 of the Resolution" (as presented by Planning).

Mr. Whitaker said that there will be a right-hand turn onto Sandroek.

Councilman Williams moved to eliminate Item 1, and adopt the Resolution with that elimination. Motion was seconded by Councilman Evenson.

Councilman Kerrigan spoke about objection to dedication without improvement. He discussed that with Mr. Whitaker. He said that dedicating and improving the alley is "to the advantage of the people behind". He asked about the opinion on dedicating, and not developing.

Mr. Whitaker replied that does not lend itself to good engineering.

Councilman Kerrigan said that if the property is developed with apartments there will be a real problem.

Mr. Whitaker showed a plan of the medical center, including more parking area "parking is on the ground".

Councilman Burgener moved to eliminate the requirement discussed from the R-4 property. Motion was seconded by Councilman Kerrigan.

The Mayor told of the existing motions, and declared the floor clear of motions.

RESOLUTION 137613, approving tentative map of Cabrillo Heights Business Center Unit 2; suspending portion of Municipal Code, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted. (That eliminates Lot 6 from item 1 of conditions).



Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Linda Terrace, a 6-lot subdivision of portion Lot 3 Wadsworth's Olive Grove, located southerly of and adjacent to Kolgra Manor, on westerly side of 52nd Street, northerly of Laurel Street, was presented. It says subdivider proposes to extend Aaron Court approximately 175 feet southerly to its present terminus to be able to provide street frontage for 3 lots (other 3 will have frontage on 52nd St.). Approval is subject to 15 conditions, and suspension of portion of the Municipal Code.

RESOLUTION 137614, approving tentative map of Linda Terrace; suspending portion of the Municipal Code, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

In connection with the next item, Councilman Burgener asked Harry Haelsig if this property had to do with the Los Altos Public Housing area.

Mr. Haelsig replied "yes".

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Pacific Foothills, a 38-lot subdivision of portion Blocks 11 and 32 Hollywood Park and Block 11 Ocean Front Addition, located in Pacific Beach, between Opal, Tourmaline, Dawes and Fanuel Streets, in R-1 Zone, was presented. It says subdivider proposes 50 ft x 122 ft lots, and to improve alley which runs through the blocks (presently 15 feet in width, recommended for widening to 20 feet). Approval is subject to 11 conditions, and suspension of portion of the Municipal Code.

RESOLUTION 137615, approving tentative map of Pacific Foothills; suspending portion of the Municipal Code, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map for resubdivision of Lot 4 Block Q Riviera Villas, located on easterly side of intersection of Hill Street, Devonshire Drive and Novara Street in Ocean Beach, subject to 6 conditions, and suspension of portion of Municipal Code, was presented.

This item was before the Council on January 24, 1957, at which time the tentative map was denied, but action reconsidered and referred back to Planning for preparation of resolution approving with conditions attached.

RESOLUTION 137616, approving tentative map of Riviera Villas 2-lot subdivision; suspending portion of Municipal Code, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Tentative Map of Sierra Lomita, a 44-lot subdivision of portion of Lot 12 Ex-Mission Rancho, located westerly of Lomita Village, southerly of Jamacha Road, in Encanto area, within the R-1 Zone, was presented. It reports that entrance to the property is proposed over extension of Cadman Street, southerly of Jamacha Road - which will require approximately 300 feet of offsite dedication and improvement. Approval is subject to 15 conditions, and suspension of portion of the Municipal Code.

RESOLUTION 137617, approving tentative map of Sierra Lomita; suspending portion of Municipal Code, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication (copy) reporting on drainage problem of Mrs.

2/5/57

Evangeline Funk, Block H Addition to Silver Terrace, Lauretta & Azusa Streets, was presented. It says that property has been inspected by representatives of the Engineer's Office, and have held several conversations with Mrs. Funk. It says she has been advised that she can correct the situation (which resulted from blocking of a natural flow by the property owner, and on which a cooperative drainage project would not appear to be justified) at a cost to her of around \$200.00.

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

Copy of communication from Harry S. Arthur (showing copies having been distributed elsewhere), dated January 31, 1957, addressed to "Voice of the People Editor, The San Diego Tribune", was presented. At the request of Councilman Schneider, it was read to the Council by the Clerk.

The communication refers to Mr. Charles Salik's resignation from the Civil Service Commission, and concludes "I wish to go on record as vigorously protesting Mr. Baker's appointment and suggest that his Honor The Mayor and the Council correct their mistake by asking for Mr. Baker's resignation from the Civil Service Commission unless he resigns his position as business agent for the Painters Union".

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

Communication from M. Franklin (Mrs. Phil F.) 5631 Taft, La Jolla, dated January 29, 1957, adding protest against City trash regulations, and expressing the feeling that the rule specifying metal containers is unreasonable.

Councilman Curran moved to refer it to the City Manager. Councilman Schneider seconded the motion.

Councilman Kerrigan spoke of having had complaints, and said it refers to City Beautiful; it is good.

Mayor Dail said it should go to the "Anti-Litter Committee".

Councilman Kerrigan said that it could be referred to the City Manager for answer. He spoke of need for public education. He said that the City Manager "could review, and be in touch with the people".

The Mayor said it would be referred to the Anti-Litter Committee and the City Manager.

The City Manager suggested that it be referred to him.

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

Communication from Wayne Prichett, 3246 Bayside Walk, San Diego 8 (Mission Beach), dated 1/29/57, was presented. It makes suggestion for Mission Beach development, and speaks of having written to the Council 3 years ago suggesting location of sewer plant in Ream Field. The communication contains a drawing of suggestions, and details them in writing.

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

Communication from Alan C. Reed, BE 4-3211 (no address), dated January 31, 1957, was presented. It requests waiver of Fire Zone Requirements at 2718 Market Street, in connection 4-unit apartment. It says "I feel that by granting the use of clear glass windows on the five foot (5') side yard is definitely not detrimental to the safety and well being to the general public in this instance".

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

RESOLUTION OF AWARD 137618, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract, for paving and otherwise improving Easterly and Westerly Alley Block 31 Normal Heights, Resolution of Intention 135859, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid was 13.1% above the estimate; postal card survey reveals that owners of 84.7% of property frontage want the contract awarded.

RESOLUTION OF AWARD 137619, accepting bid of John B. Henry, Inc., a corporation, and awarding contract for grading and otherwise improving (sidewalking) Aragon Drive, Nassau Drive, Waite Drive, Suffolk Drive, Rockland Street, Duchess Street, and 69th Street, Resolution of Intention 136298, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid was 7.0% was below estimate.

RESOLUTION OF AWARD 137620, accepting bid of Merle Bryon, and awarding contract, for grading and otherwise improving (sidewalking) Lea Street, Streamview Drive, and Chollas Parkway, Resolution of Intention 136300, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid was 3.7% above estimate.

RESOLUTION OF AWARD 137621, accepting bid of San Diego Gas & Electric Co. for furnishing electric energy in Crown Point Lighting District 1, for 1 year from and including February 1, 1957, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION 137622, rejecting all proposals and bids offered for doing work described in Resolution Ordering Work 136651 - improvement of Guy Street, under Resolution of Intention 135962 - and abandoning proceedings, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid was 18.8% above estimate; postal card survey reveals that owners of 60% of lots request abandonment.

RESOLUTION 137623, approving plans, drawings, typical cross-sections, profiles and specifications for grading and otherwise improving (sidewalking) 55th Street, Hardy Avenue, Lindo Paseo, Campanile Drive; approving Plat 2939 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137624, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Kurtz Street, and Acquisition of Public Rights of Way; approving plat 2933 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of

2/5/57

of Intention to file plat in office of City Engineer, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137625, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Santa Fe Street; approving Plat 2909 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk to file plat in office of City Engineer, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING IMPROVEMENT 137626, for furnishing electric emergency in Talmadge Park Lighting District 1, for 1 year from and including March 1, 1957, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 137627, for paving and otherwise improving Santa Margarita Street, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 137628, for lighting in 7th, 8th, 9th, 10th, 11th, 12th Avenues, B and C Streets, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 137629, for sidewalk in 55th Street, Hardy Avenue, Lindo Paseo, Campanile Drive, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 137630, for paving and otherwise improving Kurtz Street, and Acquisition of Public Rights of Way, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 137631, for paving and otherwise improving Santa Fe Street, Balboa Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137632, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 9 Bird Rock City by the Sea; Waverly Avenue, Public Right of Way in Lot 10 Block 9 Bird Rock City by the Sea, Resolution of Intention 132010 and to be assessed to pay expenses thereof; directing Clerk of the City at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137633, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise

improving Alley Block 302 Subdivision of Acre Lots 64-1/2, 65 and 66 Pacific Beach, Resolution of Intention 134049, and to be assessed to pay expenses thereof; directing Clerk of the City at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137634, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 2 Tract 1382 Wilshire Place, and Meade Avenue, Resolution of Intention 135001, and to be assessed to pay expenses thereof; directing Clerk of the City at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137635, approving diagram of property affected or benefited by work of improvement to be done on sidewalk on Alleghany Street, Resolution of Intention 130035, and to be assessed to pay expenses thereof; directing Clerk at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137636, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving 39th Street and Logan Avenue, Resolution of Intention 133056, and to be assessed to pay expenses thereof; directing Clerk at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified ~~copy~~ to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137637, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving West Point Loma Boulevard and Muir Avenue, Resolution of Intention 134266, and to be assessed to pay expenses thereof; directing Clerk at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Street, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137638, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley in Block 81 Pacific Beach, Resolution of Intention 135214, and to be assessed to pay expenses thereof, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 137639, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Van Dyke Avenue and Thorn Street, Resolution of Intention 134265, and to be assessed to pay expenses thereof, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

2/5/57

RESOLUTION 137640, accepting offer (prices) and license agreement of Pacific Union Metal Company, Document 546826, agreeing to furnish 4 Union Metal Design 403 546826- Catalog F250-B2 standards; 160 Union Metal Design 41091-Y220 conversion units; 165 Joslyn MV-131 luminaires, Catalog J132230; and 199 Westinghouse ballasts Type ILH Style 1760557, to any and all contractors desiring to bid on installation of street lighting system on India Street, Columbia Street, State Street, Union Street, Front Street, First Avenue and Second Avenue, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 137641, accepting offer (prices) and license agreement of Pacific Union Metal Company, Document 547103, agreeing to furnish 4 Marbelite reinforced concrete lighting standards, Design 52-A6, Catalog F-51; 4 Westinghouse Type AK-10 luminaires, Style #1565515; 4 Westinghouse pole base type series insulating transformers Style 348006, to any and all contractors desiring to bid on installation of street lighting system on Wisteria Drive, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 137642, granting petition, Document 546888, for installation of sanitary sewers and water mains to serve property along Archer Street westerly of Fanuel Street approximately 500 feet; 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, Document 547620, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 147643, granting Sam Bompensiero permission to pave and otherwise improve portion of Locust Street by private contract, under Document 545526, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 137644, ratifying, confirming and approving tidelands lease with Celeste Brothers Garage, a co-partnership, for 5 years upon terms and conditions of Document 547498, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137645, authorizing and empowering City Manager to do all of the work in connection with installation of an altitude valve with vault and a check valve with vault at Country Club Reservoir, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137646, authorizing and empowering City Manager to do all of the work in connection with installation of water regulators in Third Avenue and West Dickinson Street, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137647, authorizing City Manager to employ M. H. Golden Construction Co. to remove and replace 120 square feet of sidewalk at Electric Avenue between Colima Street and line 440 feet



southerly in addition to work shown on improvement plans for Electric Avenue et al (under a 1911 Street Improvement Act proceeding); cost not to exceed \$57.60, payable from Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137648, authorizing City Manager to employ Griffith Company to remove and replace curb, in addition to work shown on improvement plans for Kendall Street from Hornblend Street to Grand Avenue, cost not to exceed \$951.36 (work being done under 1911 Street Improvement Act proceedings), payable from Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137649, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with Lemon Grove Sanitation District covering transportation, treatment and disposal of sewage discharged into San Diego's line at Madera Street and 69th Street, under Third Supplementary Agreement, Document 547780, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137650, authorizing and empowering City Manager to execute for and on behalf of The City of San Diego, license agreement with Santa Fe Land Improvement Company, wherein the company licenses The City to use portion of Pueblo Lot 1224, owned by it, for drainage ditches and structures, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137651, approving change order 1, January 15, 1957, Document 547501, issued in connection with contract between The City and Standard Dredging Company, for Dredging Bay of San Diego in vicinity of 10th Avenue Marine Terminal, contract Document 523215, changes amounting to increase in contract price of \$1,149.00, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137652, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against Lots 3, 4, 5, 6 Block 336 Choate's Addition, together with all penalties and other expenses in connection therewith, 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 Evenson, adopted.

RESOLUTION 137653, accepting deed of Winfield S. McLees and Gladys L. McLees, September 27, 1956, conveying easement and right of way for street purposes in north 2.5 feet of south 12.5 feet Lots 109 and 110 Oakemere; naming it Rose Street; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Councilman Kerrigan was excused

2/5/57

RESOLUTION 137654, accepting deed of Dan G. LeFevre and Esther LeFevre, January 8, 1957, conveying easement and right of way for street purposes in easterly 15.00 feet Lots 13 and 14 Block 15 Swan's Addition; naming it Roseview Place; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 137655, accepting deed of Walter M. McKellar, January 9, 1957, conveying easement and right of way for street purposes in easterly 15.00 feet Lots 3, 4, 5, 6 Block 15 Swan's Addition; naming it Roseview Place; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 137656, accepting deed of Allen E. Rose and La Vina R. Rose, December 31, 1956, conveying easment and right of way for street purposes in portions of Lots 7 through 12 inclusive, Lots 15 and 16, Lots 25 through 39, inclusive, Lots 42 and 43, all in Block 15 Swan's Addition; naming it Roseview Place; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 137657, accepting deed of Hotel Kingsway Operating Company, January 14, 1957, conveying easement and right of way for sewer purposes in strip of land 8.0 feet wide in Lot 4 Marcellena Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 137658, accepting deed of Hotel Kingsway Operating Company, January 14, 1957, conveying easement and right of way for drainage purposes in strip of land 8.0 feet wide in Lot 4 Marcellena Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 137659, accepting subordination agreement, executed by Silver Gate Savings and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, January 7, 1957, subordinating all their right, title and interest in and to easement for right of way for public street and incidents thereto, in westerly 15.00 feet Lots 34, 35, 42, 43 in Block 15 Swan's Addition; authorizing and directing City Clerk to file subordination agreement, 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 137660, accepting subordination agreement, executed by Walter M. McKellar and Lauralee McKellar, beneficiaries, and

Bank of America National Trust and Savings Bank of San Diego, trustee, January 9, 1957, subordinating all their right, title and interest in and to easement for right of way for public street and incidents, in portions of Lots 7 through 12, inclusive, Lots 15 and 16, Lots 25 through 39, inclusive, Lots 42 and 43, all in Block 15 Swan's Addition; authorizing and directing City Clerk to file subordination agreement, 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 137661, accepting quitclaim deed of Picker X-Ray, a corporation, December 20, 1956, quitclaiming to the City portions of Lot 21 Boulevard Gardens; authorizing and directing City Clerk to file deed for record in office of County Recorder of San Diego County, together with certified copy of resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 137662, accepting subordination agreement, executed by First National Trust and Savings Bank of San Diego, beneficiary, and First National Trust and Savings Bank of San Diego, trustee, November 12, 1956, subordinating all their right, title and interest in and to easement for right of way for public street and incidents thereto, in north 2.5 feet of south 12.5 feet Lots 109 and 110 Oakmere; authorizing and directing City Clerk to file subordination agreement, together with certified copy of resolution, for record in office of Recorder of San Diego County, 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 137663, accepting deed of Arthur R. Turner and Geraldine J. Turner, January 17, 1957, conveying easement and right of way for water purposes in strip of land 30.0 feet wide in Lot 11 Block 16, and Lot 11 Block 17, 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 Curran, adopted.

RESOLUTION 137664, accepting deed of George G. Congdon and Jeanette M. Congdon, January 2, 1957, conveying easement and right of way for water purposes in strip of land 30.0 feet wide in Lot 12 Block 15, and Lot 12 Block 17, 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 Curran, adopted.

RESOLUTION 137665, accepting deed of O. C. Helming, Jr. and Barbara E. Helming, December 6, 1956, conveying easement and right of way for water main or water mains, together with any or all fittings, etc., across strip of land 30.0 feet wide in Lot 16 Block 14 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, ~~adepted~~ seconded by Councilman Curran, adopted.

RESOLUTION 137666, accepting deed of Leonard M. Levine,

2/5/57

January 17, 1957, conveying easement and right of way for earth excavation or embankments, slope or slopes, portion Lot 337 Rolando Park Unit 4; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 137667, accepting subordination agreement, executed by Harold Bell and Adele L. Bell, beneficiaries, and Union Title Insurance and Trust Company, trustee, January 16, 1957, subordinating all their right, title and interest in and to easement for right of way for public street and incidents in westerly 40.00 feet Lot 4 Block 1 Loma Valley; authorizing and directing City Clerk to file subordination agreement, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137668, accepting subordination agreement, executed by Central Federal Savings and Loan Association of San Diego, beneficiary, and Union Title Insurance and Trust Company, trustee, December 31, 1956, subordinating all their right, title and interest in and to easement for right of way for public street and incidents, in westerly 40.00 feet Lot 4 Block 1 Loma Valley; authorizing and directing City Clerk to file subordination agreement, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137669, accepting subordination agreement, executed by Harold Bell and Adele L. Bell, beneficiaries, and Union Title Insurance and Trust Company, trustee, January 16, 1957, subordinating all their right, title and interest in and to easement for right of way for storm drain, or drains and appurtenances, in strip of land 4.00 feet wide in Lot 4 Block 1 Loma Valley; authorizing and directing City Clerk to file subordination agreement, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137670, accepting subordination agreement, executed by Central Federal Savings and Loan Association of San Diego, beneficiary, and Union Title Insurance and Trust Company, trustee, December 31, 1956, subordinating all their right, title and interest in and to easement for right of way for storm drain or drains and appurtenances in strip of land 4.00 feet wide in Lot 4 Block 1 Loma Valley; authorizing and directing City Clerk to file subordination agreement, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137671, accepting deed of Walter Thomas and Lucille Thomas, December 26, 1956, conveying easement and right of way for street purposes in westerly 40.00 feet Lot 4 Block 1 Loma Valley; naming it Wilcox Street; authorizing and directing City Clerk to file deed, together with certified resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137672, accepting deed of Walter Thomas and Lucille Thomas, December 26, 1956, conveying easement and right of way for drainage purposes in strip of land 4.00 feet wide in Lot 4 Block 1 Loma Valley; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137673, accepting subordination agreement, executed by Metropolitan Life Insurance Company, beneficiary, and Union Title Insurance and Trust Company, trustee, January 7, 1957, subordinating all their right, title and interest in and to easement for right of way for public street and incidents in strip of land 30.0 feet wide in portion of Parcel "O" Lot 19 Rancho Ex Mission of San Diego; authorizing and directing City Clerk to file subordination agreement, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137674, accepting deed of Loma Properties Company, January 3, 1957, conveying easement for sewer, water, drainage and public utilities and right of ingress thereto and egress therefrom over and across strip of land 5.0 feet wide in Lot 11 Block 23 Montemar Ridge 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 Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137675, accepting deed of Alvin J. Reed and Helen Z. Reed, January 12, 1957, conveying portions of southeast quarter Lot 42 Horton's Purchase in the Ex-Mission Lands 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 Curran, seconded by Councilman Evenson, adopted.

There was listed on the calendar a resolution terminating and cancelling pipe removal agreement entered into between the City of San Diego and Kathleen Crosby on February 26, 1954. Motion was made and seconded - by Councilman Schneider and Councilman Evenson - to file.

(The proposed resolution had actually been withdrawn, so there was nothing on which to act).

Resolution listed at this point on the calendar authorizing City Treasurer to exchange U.S. Treasury Certificates, was handled at the beginning of the meeting, and will be found earlier in these minutes.

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

ORDINANCE 7324 (New Series), amending Article IV Chapter 6

1/5/57

by adding thereto Sections 64.21, 64.21.1, 64.21.2, 64.21.3, 64.21.4, 64.21.5, 64.21.6, 64.21.7 (of San Diego Municipal Code), was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Kerrigan.

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

ORDINANCE 7325 (New Series), amending Sections 62.0201, 62.0203 and 62.0206 of San Diego Municipal Code regulating type and amount of Performance Bond, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Kerrigan.

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 written or printed copy.

ORDINANCE 7326 (New Series), appropriating \$19,400.00 out of Capital Outlay Fund for providing funds for installation of Traffic Signals and Safety Lights at intersections of Florida Street and University Avenue, and Meade Avenue at Texas Street, was on motion of Councilman Williams, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Kerrigan.

Councilman Kerrigan returned to the meeting

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 written or printed copy.

ORDINANCE 7327 (New Series), appropriating \$15,100.00 out of Capital Outlay Fund, for constructing fences at Torrey Pines Golf Course, was on motion of Councilman Williams, 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 Evenson, seconded by Councilman Curran, the next ordinance was introduced.

On motion of Councilman Evenson, 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 written or printed copy.

ORDINANCE 7328 (New Series), appropriating \$4,400.00 out of Capital Outlay Fund, for improving portion of Franklin Avenue, was



on motion of Councilman Evenson, 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 Evenson, seconded by Councilman Curran, the next ordinance was introduced.

On motion of Councilman Evenson, 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 written or printed copy.

ORDINANCE 7329 (New Series), appropriating \$1,200.00 out of Capital Outlay Fund, for improvement of intersection of 12th Avenue and National Avenue, was on motion of Councilman Evenson, 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 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 final passage written or printed copy.

ORDINANCE 7330 (New Series), establishing grade of Alley Block 26 Fairmount Addition, between northerly line of Polk Avenue and southerly line of Orange Avenue, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Evenson, 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 written or printed copy.

ORDINANCE 7331 (New Series), establishing grade of Morning-side Street, between its southwesterly termination at Calle Cumbre and a line parallel to and distant 30.00 feet southeasterly from the southwesterly prolongation of the southeasterly line of Rancho Hills Drive, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

Unanimous consent was granted to the Asst. City Attorney to present the next item, not listed on the agenda:

Ordinance amending Chapter II Article r Division of San Diego Municipal Code by amending Section 22.0101 setting time and place for Council Meetings (this has to do with meetings to be held outside the Council Chambers during the time the Chambers are to be remodeled), was on motion of Councilman Burgener, seconded by Councilman Schneider, 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

2/5/57

to present the next item, not listed on the calendar:

RESOLUTION 137676, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with Pacific South-west Border Association of National Amateur Athletic Union, for exclusive use by the AAU of Balboa Stadium on June 5, 6, 7, 8, 1957, for conducting National Association of Inter-collegiate Athletics' annual track and field meet; under Document 547843, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The City Manager was granted unanimous consent to present an ordinance providing for interim zoning on property to be sold by the City, which he said had been authorized by the Council. He said that property owners, after land has been sold, "can ask for rezoning".

Harry Haelsig, Planning Director, identified it as "2 parcels for R-1 development."

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

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

ORDINANCE 7332 (New Series), establishing regulations governing use of land in Lot 33 New Riverside and Lots 9 and 10 David's subdivision, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilman Burgener, Williams, Schneider, Kerrigan, Evenson, Curran, Mayor Dail. (This was an emergency ordinance, to take effect and be in force from and after its passage - accounting for the 3 actions in 1 meeting)

Mayor Dail presented to the Eagle Scout "Acting Mayor for the Day" a "key to the City", and then to the other Eagle Scouts who had acted as "officials" today.

The Eagle Scout who had functioned as "Acting Mayor" for the day, made the City officials honorary Scouts.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:45 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

*G. M. Hadstein*

Deputy

*Quincy D. Williams*  
Mayor of The City of San Diego, California

137676 - under U.C.

7332 N.S. - under U.C. (emergency ord.)

Presentation of "keys to the City" to the Eagle Scouts who were "officials"

Meeting adjourned

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, February 7, 1957

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

Absent--Councilman Burgener

Clerk---Fred W. Sick

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

Ordinances and Resolutions for this meeting are recorded on Microfilm 125.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on incorporating all of La Jolla Country Club Heights Unit 1 Subdivision, all of La Jolla Country Heights Unit 2 Subdivision, all of Country Club Estates, and all unsubdivided portions of Pueblo Lot 1263 into R-1C Zone, the Clerk reported no protests.

The Clerk read to the Council, report from Planning Commission, by P. Q. Burton, on petition to rezone the property, saying that petition contains signatures of approval from 115 of the 135 owners of the subdivided lots, plus approximately 67½ acres of the unsubdivided portion. It says that the R-1C require 60 feet frontage and minimum of 10,000 sq. ft. to a lot. It identifies surrounding property, and says that only 1 protest was received at the Planning Commission hearing. It reports that the property, now zoned R-1 under Ordinance 13294, has been recommended for the rezoning on Drawing C-113, as requested.

The Mayor inquired if anyone was present to be heard.

Councilman Burgener entered during reading of the Planning report.

Ordinance incorporating all of La Jolla Country Club Heights Unit 1 Subdivision, all of La Jolla Country Club Heights Unit 2 Subdivision, all of Country Club Estates, and all unsubdivided portions of Pueblo Lot 1263, into R-1C Zone as defined by Section 101.0404 of San Diego Municipal Code, repealing ordinance 13294 insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, 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 rezoning portion Lot 5 Alvarado Heights, portion of Metropolitan Center, portion of West Half of Reservoir Drive vacated, the Clerk reported no protests.

Report from Planning Commission, by P. Q. Burton, was read to the Council by the Clerk. It states there is petition to rezone prevailing R-1 Zone to C Zone, a parcel containing a little over 2 acres on the north side of El Cajon Boulevard at Seminole Drive; portion of property facing El Cajon Boulevard and for depth of approximately 100 feet is already zoned C. It states that land proposed to be rezoned is under a single ownership and many signatures of surrounding property owners have been obtained. It says that petitioners state it is their intention, if rezoned to construct building 150x200 feet for conducting roller skating rink. It says there were no protests to the proposed rezoning, and the Commission recommended by 7-0 vote, that property shown on Drawing B-764.1 be rezoned C-1A, zoning to become effective on filing subdivision map within 1 year.

Norman Seltzer, attorney, representing the applicants, was

Meeting convened  
Hearings

2/7/57

heard. He said it is imperative to the type of operation - there is need for 30,000 sq. ft. for a skating rink. He said that C-1 would not be helpful; C Zone would be needed. He identified existing conditions.

Harry Haelsig, Planning Director, laid down a map at which members of the Council looked.

Mr. Seltzer spoke of there being varying depth; along the rear there is a steep canyon, and there is a canyon on the side. He said building could be placed in C Zone. He said that "if more, it would be impossible to build a skating rink. He placed several overlays over a map of the property, which he described. He said that they "could fudge a little on the back". He asked for consideration for a C Zone, on a portion to which he pointed. He said to the Council that parking is needed to the front. Mr. Seltzer said that his clients are already operating skating rink: The Palisades Gardens. He said that "this is the best place that they could find", and stated that approval had been obtained from all who could be reached.

Councilman Schneider held a discussion with Mr. Seltzer.

Mr. Seltzer declared that there was no opposition from people in the neighborhood.

Mr. Haelsig said that C-1A is a compromise, and that this is "creating a baseball park" (referring to another hearing on a zone change, in Mission Valley, at which Mr. Seltzer spoke). He said that it would be 25 feet from buildings, and that a desirable zoning would be a row of lots. He told the Council that the C-1A zone and the map recommendation were based on a plea regarding the blank wall. He said there is need for adequate off-street parking reservation for future street; no blank wall. Answering the Mayor, Mr. Haelsig said that property would be taken rear for the street.

Councilman Schneider discussed that with Mr. Haelsig.

Mr. Haelsig said that "is a concept of zoning; not one of popularity".

The Mayor spoke of the City being supposed to provide protection, despite there being no protest.

Mr. Haelsig pointed to a map regarding future street.

Councilman Kerrigan discussed the subject with Mr. Seltzer.

Mr. Seltzer said that across the street it does not "face an ephemeral street". He said that the property could forego a strip off the back.

Mr. Haelsig spoke of working for a 60-foot street. He pointed to a map of what would be wanted. Then, he drew on a map what is wanted for reservation, and said that C-1A provides for a 10 ft. setback.

In a discussion with Mr. Seltzer, Mr. Haelsig said, from a map, that line would vary from 10 feet to 40 feet.

Mayor Dail spoke about a lot of guess work being done; it should be "drawn out", and continued 1 week.

Councilman Williams said there is another phase; what the zone would be - if the owners build.

Mr. Seltzer said if there is a reasonable reservation, building could go in "C" zone. He said "reasonable reservation would leave enough (ground), in "C".

Councilman Burgener said that the City would be taking the risk on the type of operation.

Councilman Williams said that it would be suicide to build without adequate parking.

Mr. Seltzer said that of those who would patronize the establishment, fewer own cars.

The Mayor spoke of the Council having an ordinance, which is going to have to be changed.

RESOLUTION 137677, requesting the City Attorney to prepare and present an ordinance establishing C Zone on Lots 1, 2, 3, 4, 31, 32, 33 Metropolitan Center, portion of Lot 5 Alvarado Heights and portion of west half of Reservoir Drive, vacated, into C Zone, subject to filing of a final subdivision map, 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 deletion of Public Assembly Facilities Site (based on Stanford Public Assembly Facilities report - (between Ash and Cedar Streets, 1st and 3rd Avenues) incorporated in the Master Plan of the City by Ordinance 6807 NS - Mayor Dail stated that the Council instructed the Planning Commission to hold hearings on the deletion.

Communication from Planning Commission, by Harry C. Haelsig, stating that "after hearing several speakers, the City Planning Commission recommended unanimously that said building site be deleted from the City's Master Plan", was read by the Clerk to the Council.

The Mayor asked if anyone was present to be heard.

Dr. Christie spoke of wanting to have the site taken off the master plan. He said "the Planning Commission unanimously took it off". He stated that he did not oppose an auditorium, and that he will work hard for one in the proper location: on Lane Field, etc.

Mayor Dail pointed out that the Council was "not considering sites, now".

Mrs. Albert Myerhofer said "please delete".

Mrs. Henry B. Clark said that Dr. Kaplan of the Chamber of Commerce told of a poll for a Civic Theatre in Balboa Park. She asked that the site be deleted.

Mr. Craker (not identified further) said he was in favor of deletion.

Mr. Scroggs (not identified further) favored deletion.

A woman, who did not give her name, asked for deletion.

The Mayor said that a hearing has been set for consideration of placing in master plan of public buildings of the City, a civic theatre in Balboa Park. He said that today's hearing is just to consider deletion of this site.

Mayor Dail reviewed a letter from the Downtown Association.

The Clerk read that letter, which is on stationery of San Diego Downtown Association, 521 "B" Street, San Diego, dated February 6, 1957, signed by Joseph E. Jessop, president, Stewart J. Rogers, secretary. It says that the Executive Committee on the Association, on February 5, 1957, adopted a policy statement, which was submitted for Council consideration. It says that because of exhaustive and expensive studies, it was concluded that the 4-block area bounded by Cedar, 3rd, Ash and 1st, most nearly meet all requirements necessary for successful operation of a convention and exhibit hall, and urges serious consideration by the Council on the advisability of abandoning the site. It says that although voters have twice rejected the Auditorium project, there might be very good reason to suppose that method of financing by imposition of additional taxes on home owners, was primary reason for its unpopularity at the polls. It states that if the voters wish to concentrate their cultural and artistic activities within the Balboa Park area, it does not negate the importance of utility of centrally-located facilities for convention and trade shows, conferences, civic receptions or other business or civic uses. The resolution concludes "Until all of these important factors are analyzed and evaluated, including the investigation of the feasibility of privately financing a modified plan, we earnestly request that the site be retained on the City's Master Plan".

The Mayor said that the hearings had been conducted by the Planning Commission, at the request of the Council.

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

Councilman Schneider spoke to Dr. Christie about past actions.

The Mayor repeated his earlier statement. He said he thought the cloud over the property should not be continued.

Councilman Schneider moved to approve the deletion. Motion was seconded by Councilman Burgener.

Councilman Williams asked if the hearing to be held on February 14 was to discuss anything other than the civic theatre (placing of the civic theatre on the City's master plan for public buildings, in Balboa Park - on a site designated for that hearing).

2/7/57

Mayor Dail replied "that is the only thing".

Councilman Williams said that any other proposition should come through proper channels.

RESOLUTION 137678, requesting the City Attorney to prepare and present necessary ordinance to delete the Public Assembly Facilities Site from the Master Plan of the City of San Diego, 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 (continued) requested by John D. Butler, relative to claim of J. B. Jennings, request of John Butler, of Donnelley, MacNulty & Butler, dated January 17, 1957, for continuance to February 21, 1957, was presented.

On motion of Councilman Schneider, seconded by Councilman Williams, the hearing was continued to February 21, 1957.

Report of Purchasing Agent, approved by City Manager, on low bid of Ets-Hokin & Galvan for installation of Traffic Signal and Safety Lighting Systems at Intersections of 54th Street and University Avenue, 54th Street and El Cajon Boulevard, Safety Lighting Systems at 54th and Orange Avenue, 54th Street and Trojan Avenue, and at point of realignment of 54th Street - \$61,111.00; 4 bids - was presented.

RESOLUTION 137679, accepting bid of Ets-Hokin & Galvan for installation of traffic signal and safety lighting systems; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of R. E. Hazard Contracting Co. for improvement of Plaza Street, between 3rd and 4th Avenues, and 3rd Avenue between Plaza Street and Broadway - \$12,499.01; 3 bids - was presented.

RESOLUTION 137680, accepting bid of R. E. Hazard Contracting Co. for improvements in Plaza Street and 3rd Avenue; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Mission Pipe and Supply Company for furnishing 1 - 24" Gate Valve @ \$1,445.00 terms 2% - 10 days, plus Tax; 2 bids - was presented.

RESOLUTION 137681, accepting bid of Mission Pipe and Supply Company for furnishing 1 - 24" Gate Valve; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, on low bid of Yeomans Brothers Company c/o Engineers Sales-Service Co., for furnishing 1 Sewage Ejector and Appurtenant Equipment for Harbor Department @ \$1,146.10, Melrose Park, Illinois (est. freight \$57.50) - Total \$1,203.60 terms 2% 10 days plus Tax; 3 bids - was presented.



RESOLUTION 137682, accepting bid of Yeomans Brothers Company c/o Engineers Sales-Service Co., Inc. for furnishing Sewage Ejector and Appurtenant Equipment; awarding contract, authorizing and instructing majority of members of Harbor Commission to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Report of Purchasing Agent on low bids of Graybar Electric Company, Inc., low individual bidder for furnishing 4 items of material for Airport Lighting; low bid of Electric Supplies Distributing Co., low individual bidder for furnishing 2 items of material for Airport Lighting - 4 bids - was presented. (Bids are set out in the report). It says that General Electric Supply bid was submitted on an all or none basis; lower prices are obtained by separate awards to low individual bidders.

RESOLUTION 137683, accepting bids of Graybar Electric Company, Inc. and Electric Supplies Distributing Co. for furnishing Airport Lighting material; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contracts pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Report of bids for furnishing 3 - wheel type tractor loaders, was presented. It reports 5 bids received on December 19, 1956. It says that after reviewing the bids, it was decided to re-advertise on revised specifications prepared in a manner conducive to obtaining additional competition: only 2 bids were received meeting specifications; 1 bidder meeting specifications offered a machine considerably larger than required, at a substantially higher price.

RESOLUTION 137684, rejecting all bids received for furnishing 3-wheel type tractor loaders, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 137685, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 3 - 3/8 cu. yd. capacity Tractor Loaders, Document 547908, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 137686, approving plans and specifications for furnishing all labor, material, equipment, tools, transportation and other expense necessary or incidental for Revisions to Digester Gas System at Sewage Treatment Works, Document 547781; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 137687, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for installation of Soft Ball Lighting System and Modifications to existing system at Golden Hill Community Center, Document 547783; 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 137688, approving plans and specifications for

2/7/57

furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for improvement of Southcrest Park at 40th Street and "Z" Street (including grading, excavating and embankment); Document 547782; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Cindy Manor, located in the eastern section of the city, northerly of Euclid Mesa Subdivision and westerly of Euclid Avenue, consisting of 16 lots, subject to posting of bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 137689, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Brown and Woolery, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Cindy Manor Subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137690, adopting Map of Cindy Manor Subdivision, being subdivision of portion of Northwest Quarter Lot 1 and portion of Northeastly Quarter Lot 2 of portion of Ex-Mission Lands of San Diego (commonly known as Horton's Purchase); accepting on behalf of the public Dafter Place and portion of Euclid Avenue, and easements shown for sewer, water, drainage and public utilities, together with any and all abutters' rights of access in and to Euclid Avenue, adjacent and contiguous to Lots 1, 2, 3, 4 shown for public purposes; declaring 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 the Council has approved the subdivision map and that street, portion of street and easements together with abutters' rights of access, are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Record of Survey on Resubdivision of Lot 6 Block C Starkey's Prospect Park, and accepting it in lieu of final subdivision map, located in La Jolla area bet. Nautilus and Bon Air, was presented.

RESOLUTION 137691, approving filing of tentative map of Record Map of resubdivision of Lot 6 Block "C" Starkey's Prospect Park; approving the filing in lieu of Final Subdivision map, pursuant to provisions of section 102.02.1 of San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by H. C. Haelsig, reporting that at Council Committee meeting on January 30, 1957, it was suggested that changes be made in proposed R-P zone (as outlined in detail in the communication), was on motion.

RESOLUTION 137692, adopting recommendation of City Planning Department, by H. C. Haelsig, to change proposed RP Zone, in several respects listed in Document 547686; requesting City Attorney to prepare and present necessary ordinance making the changes, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Item listed at this point regarding approval of application for Cabaret License at "The Elbow Room", will be found later on these minutes.

Communication from Allied Gardens Junior Womans Club, by Mrs. J. A. McChesney, corresponding Secretary, 6103 Estrella, S.D. 20, dated January 31, 1957, was presented. It tells of need for park facilities in the community of Allied Gardens, and says it is understood the matter is coming before the Budget Planning Commission. It urges thorough consideration, and "trust that some positive action will be taken".

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

Communication from Sam Rose, on stationery of "Samuel Rose, Realtor.....4911 70th St., San Diego 15, Calif", dated Feb 4th 1957, was presented. Among other things, it says "let me suggest that you carefully inspect this corner before accepting the widening of this street and allowing this sharp turn to remain at the corner of 70th and Amherst Street".

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

Communication from Municipal Employees' Association, Inc., 3110 Goddard Way, San Diego 1, dated February 6, 1957, signed by Mary E. Harvey executive secretary, was presented. It requests reconsideration of request made in March of 1956, for authorization to increase retirement payments made to City employees who retired prior to July, 1954 (when the retirement system was amended and improved).

RESOLUTION 137693, referring to Council Conference communication from San Diego Municipal Employees' Association, Inc., re request to increase retirement, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

Communication from San Diego Taxpayers' Association, dated February 5, 1957, by Colin A. Stillwage, president, was presented. It says "In behalf of the San Diego Taxpayers' Association, I would like to compliment your honorable body for the progressive steps taken in your adoption of policy responsibility and improved administration organization for Mission Bay Park", was presented. It expresses interest and offers assistance in sound and orderly development of the Park....

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

RESOLUTION 137694, vacating portion of Colima Street, and Alley Block 29 Bird Rock Addition, reserving and excepting permanent easement shown in Document 542895 (Map 6295-B); directing City Clerk ~~to cause~~ City Clerk to have recorded in office of County Recorder, certified copy of resolution, attested by him under seal, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The next item was listed earlier on the calendar for this meeting, but numbered here.

Report of City Manager recommending granting application of Joseph Badalamenti for cabaret license at 710 Garnet Ave - together with recommendations from City departments, was presented.

RESOLUTION 137695, granting permission to Joseph Badalamenti to conduct cabaret with entertainment at The Elbow Room, 706-08-10 Garnet Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

2/7/57

## RESOLUTION 137696, declaring a oneway alley:

East-Way Alley, south of University Avenue, between Falcon Street and Goldfinch Street, also known as "Falcon Place" for eastbound traffic; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

## RESOLUTION 137697, declaring a through highway:

Ocean View Boulevard between west line of 45th Street and west line of 47th Street; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

## RESOLUTION 137698, naming street easement conveyed to the

City of San Diego across portion of Lot 24 La Mesa Colony, by deed executed by James DeMay and Florence DeMay, recorded July 5, 1955, in Book 5703 page 357 of officials, Seminole Drive, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

## RESOLUTION 137699, creating and establishing Taxicab Stand:

West side of First Avenue, between points 30 feet and 52 feet north of north line of Broadway; authorizing and directing installation of necessary signs and markings; abolishing Taxicab Stand located on north side of Broadway between points 26 feet and 44 feet west of west line of First Avenue, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

## RESOLUTION 137700, authorizing City Manager to execute on

behalf of The City of San Diego, agreement effective September 3, 1956, for modification of agreement under date of July 1, 1943, with Contracting Officer of Fort McArthur, California, for use of City water by U. S. Army in Fort Rosecrans premises, for modification of contract indicated for sewer service specifications as provided by Ordinance 7087 (New Series) re amendments of San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

## RESOLUTION 137701, authorizing and empowering City Manager

to do all work in connection with lowering 6" cast iron main in Orange Avenue at 54th Street, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

## RESOLUTION 137702, granting request of V. C. Moffitt &amp; Co.,

January 24, 1957, Change Order 2 for extension of 30 days to and including March 12, 1957, Document 547842, in which to complete contract for South Clairemont Park Sprinkler System, contract Document 540799; extending completion of contract to March 12, 1957, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

## RESOLUTION 137703, authorizing Aaron W. Reese, Assistant City

Attorney, to accompany Mayor Charles C. Dail to Washington, D.C., leaving February 10 to February 16, 1957, and incur all necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 137704, authorizing a representative from the Water Department, Financial Services Department, and the City Attorney's Office, to attend California Municipal Utilities Association annual conference to be held in Palo Alto, California, February 19 through 22, 1957, and incur all necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 137705, accepting subordination agreement, executed by Carlphil Construction Co., beneficiary, and Title Insurance and Trust Company trustee, January 21, 1957, subordinating all their right, title and interest in and to easement for right of way for public street and incidents thereto, in westerly 15.00 feet Lots 44, 45, 47, 58, Block 15 Swan's Addition; authorizing and directing City Clerk to file subordination agreement, 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 137706, accepting subordination agreement, executed by Silver Gate Savings and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, January 25, 1957, subordinating all their right, title and interest in and to easement for right of way for public street and incidents thereto, in westerly 15.00 feet Lots 30 and 31 Block 15 Swan's Addition; authorizing and directing City Clerk to file subordination agreement, 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 137707, accepting deed of E. E. Taylor, December 18, 1956, conveying portions of Lot 20 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 137708, accepting deed of Carrie M. Burch, January 3, 1956, conveying easement and right of way for street purposes in westerly 15.00 feet Lots 44 through 48 inclusive Block 15 Swan's Addition; naming easement Roseview Place; authorizing and directing City Clerk 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 137709, accepting deed of Howard E. Clark, Jr. and Yelee Bates Clark, January 21, 1957; conveying easement and right of way for street purposes in westerly 15.00 feet Lots 30 and 31 Block 15 Swan's Addition; naming easement Roseview Place; authorizing and directing City Clerk 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.

2/7/57

RESOLUTION 137710, accepting deed of Ernest V. Wrisley and Dee Wrisley, and Department of Veterans Affairs of State of California, executed in favor of The City of San Diego, December 31, 1956, conveying easement and right of way for street purposes in easterly 15.00 feet Lots 1 and 2 Block 15 Swan's Addition; naming easement Roseview Place; authorizing and directing City Clerk 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 137711, accepting deed of Virgil S. Kipp and Louise L. Kipp, January 23, 1957, conveying easement for right of way for public right of way for public sewer and incidents in portions of Lots 20 through 24 inclusive Block 6 Beverly; authorizing and directing City Clerk 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 137712, accepting deed of Allan D. Rosenblatt and Renee Rosenblatt, January 30, 1957, conveying easement and right of way for sewer purposes in easterly 8.00 feet of westerly 19.00 feet Lot 27 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 137713, accepting deed of Cyrus W. Bonney and Helen Bonney, January 4, 1956, conveying easement and right of way for drainage purposes in strip of land 10.0 feet wide in Pueblo Lot 1782; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 137714, accepting deed of Albert Sidney Freedman, Jr. and Katherine M. Freedman, January 26, 1957, conveying easement for sewer, water, drainage and public utilities and right of ingress thereto and egress therefrom in portions Lot 17 Block 6 Golden 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 137715, accepting deed of Pirl Oates and Esther K. Oates, January 28, 1957, conveying easement for sewer, water, drainage and public utilities and right of ingress thereto and egress therefrom in easterly 3.00 of westerly 31.00 feet excepting southerly 30.00 feet Lot 17 Block 6 Golden 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 Williams, seconded by Councilman Schneider, adopted.

On motion of Councilman Burgener, seconded by Councilman Williams, reading of the next ordinance in full was dispensed with by vote of not less than 4 members of the Council. There was available for consider-



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

ORDINANCE 7333 (New Series) incorporating Lots 31, 32, 33 Block 44, and Lots 16, 17, 18 Block 45 City into RC and C Zones, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

ORDINANCE 7334 (New Series) incorporating Lots 25 to 36 inclusive, Block 70; Lots 13 to 24, inclusive, Block 71; Lots 1 to 4 inclusive, Block 78 and Lots 45 to 48 inclusive, Block 79 City Heights, into R-4 zone as defined by Section 101.0408 of San Diego Municipal Code and repealing Ordinance 13057 insofar as it conflicts, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

ORDINANCE 7335 (New Series) incorporating Lots 19 to 22 inclusive Block 32 Mission Bay Park Tract; repealing Ordinance 100 (New Series) insofar as it conflicts, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Kerrigan, 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 final passage written or printed copy.

ORDINANCE 7336 (New Series), appropriating \$67,300.00 out of Capital Outlay Fund for installation of Traffic Signals and Safety Lighting Systems in portions of 54th Street (set out in the ordinance, in detail), was on motion of Councilman Kerrigan, 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 Kerrigan, seconded by Councilman Williams, the next ordinance was introduced.

On motion of Councilman Kerrigan, 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 final passage written or printed copy.

ORDINANCE 7337 (New Series), appropriating \$13,400.00 out of Capital Outlay Fund, for paving and otherwise improving portions of Plaza Street and 3rd Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

2/7/57

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

RESOLUTION 137716, authorizing Fred W. Lawrence, City Auditor and Comptroller, to travel to Bakersfield, California, February 15, 1957, to attend meeting as Chairman of the Governmental Accounting and Auditing Committee of the California Society of Certified Public Accountants; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

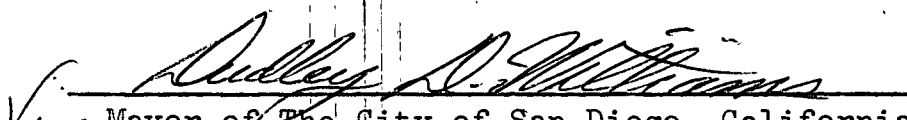
The next item was returned by the Council secretary, from Council conference. The document, filed by the Clerk, is communication from Bird Rock Business and Professional Ass'n. requesting that Electric Avenue be deleted from the Master Street Plan Map of the City.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:46 o'clock A.M.

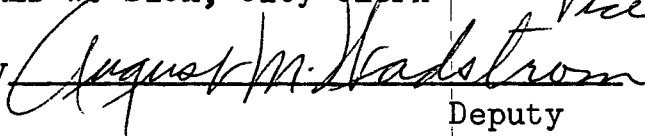
The Mayor announced that the Council would go into conference immediately.

ATTEST:

FRED W. SICK, City Clerk

  
Vice Mayor of The City of San Diego, California

By

  
Deputy

137716 - U.C.

Conference item returned & filed

Meeting adjourned

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Wednesday, February 13, 1957

Present-Councilman Kerrigan

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

Councilman Kerrigan appeared in the Council Chamber, in lieu of attendance by the Mayor (who is in Washington, D.C. on City business) and the Vice Mayor, and declared the meeting adjourned - at 10:10 o'clock A.M.

Tuesday, February 12, 1957, a regular meeting day came on the holiday, so meeting was not held. It had been determined by the Council, earlier, that meeting would not be held today - following the date upon which regular meeting would have been continued.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

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

Meeting (following holiday)  
- not held

2/14/57

ADJOURNED  
REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, February 14, 1957  
(Regularly-scheduled meeting of February 12 was not held because of the holiday; the meeting which would have been held on February 13 was adjourned to this date)

Present-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson  
Absent--Councilmen None; Mayor Dail (in Washington, D.C. on City business)  
Clerk---Clark M. Foote

Vice Mayor D. D. Williams, Jr. called the meeting to order at 10:07 o'clock A.M.

At the request of the Vice Mayor, all stood for the invocation given by the Reverend Allen Newman, pastor of Ocean Beach Baptist Church.

Ordinances and Resolutions for this meeting are recorded on Microfilm Roll 125.

On motion of Councilman Schneider, seconded by Councilman Burgener, minutes of the Regular Meetings of Tuesday, February 5, 1957, and of Thursday, February 7, 1957, were approved by the Council without reading - after which they were signed by the Vice Mayor.

Purchasing Agent reported in writing on 4 bids opened on 1911 Act proceedings for improving Cabrillo Avenue, Pearl Street, and Rhoda Drive, on February 8, 1957.

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

Purchasing Agent reported in writing on 4 bids opened on 1911 Act proceedings for improving Emerald Street, on February 8, 1957.

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

Purchasing Agent reported in writing on 4 bids opened on 1911 Act proceedings for improving Maple Street, on February 8, 1957.

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

Meeting convened  
Invocation

Minutes approved

Purchasing reports on 1911 Act bids

Report of Purchasing Agent, approved by City Manager, on low bid of V. R. Dennis Construction Co. for improvement of portions of 55th Street, 56th Street, Trojan Avenue, Sharron Place, Sparton Drive, and Public Rights of Way adjacent to Will C. Crawford High School - \$79,153.50; 4 bids - was presented.

RESOLUTION 137717, accepting bid of V. R. Dennis Construction Co. for improvement of portions of 55th Street, et al.; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of W. B. Melhorn for construction of Rest Room Building in Municipal Golf Course near 28th and Ash Streets - \$9,583.00; 9 bids - was presented.

RESOLUTION 137718, accepting bid of W. B. Melhorn for construction of rest room building; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Standard Electric for modification of Traffic Signal and Safety Lighting Systems at intersections of Chatsworth Boulevard and Voltaire Street; El Cajon Boulevard, Normal Street, and Park Boulevard; Third Avenue and Broadway; Twelfth Avenue and C Street - \$2,420.90; 3 bids - was presented.

Report states that low bid is 18.% below the estimate.

RESOLUTION 137719, accepting bid of Standard Electric for modification of Traffic Signal and Safety Lighting Systems; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on 2nd co-low bid of ~~Ross Valve Company~~ for furnishing 1 12" Altitude Valve  $\frac{1}{4}$  \$1,044.00 by Mission Pipe and Supply Company (the Ross Valve Company's bid, actually low at \$859.00 terms 1/2% f.o.b. Troy, N.Y., was for product not proved satisfactory in San Diego water system), was presented.

++ Mission Pipe and Supply Company

RESOLUTION 137720, accepting bid of Mission Pipe and Supply Company for furnishing 1 12" Altitude Valve; 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 Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on sale of 4 houses located on Washington and Tennyson Streets, was presented. It states that total of \$3,882.25 received from the sale has been deposited with the City Treasurer.

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

Communication from California Highway Commission, P.O. Box 1499, Sacramento 7, California, dated February 6, 1957, by G. N. Cook, re Road XI-S.D.-2=SD,A,B, was presented. It gives notice of hearing to be conducted by members of the Commission serving as a hearing committee, in the Little Theater Building, Del Mar Fair Grounds, Del Mar, starting at 10:30 a.m., April 5, 1957, and invites Council attendance. It attaches copy of news release relative to action, and copy of report dated January 22, 1957, signed by the State Highway Engineer, covering his findings and recommendation.

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

Communication from Frank G. Bonelli, member of the California State Assembly, dated January 31, 1957, was presented. It submits copies of A/B 64 banning sale of crime horror comic books to minors under 18 years of age, and urges the Council to adopt resolution urging the Legislature to pass such legislation.

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

Communication from T. M. Heggland, Chief Administrative Officer, County of San Diego, dated February 7, 1957, addressed to the Board of Supervisors and the City Council, was presented. It submits a report, considered by the Administration Building Control Committee, from Director, City Building Inspection Department relative to provision of additional civic center space.

Councilman Curran said he had a question.

The City Manager said to the Council that he gave it to Mr. Heggland.

RESOLUTION 137721, referring to Council Conference communication from the Chief Administrative Officer of the County, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from District Public Works Office, Eleventh Naval District, San Diego 32 - Ser 2095/DC-220 - dated Feb 6 1957, signed by J. W. Frorath, Captain, CEC, USN, Deputy District Public Works Officer, by direction of the District Public Works Officer, was presented. It requests cancellation by the City of lease to the United States Shipping Board of Emergency Fleet Corporation dated September 7, 1918, affecting property which is now a part of the U.S. Naval Station - in order to clear title to property which now vests in the United States.

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

Communication from R. D. Hadley (no address), Feb. 6, 1957, was presented. It tells of having changed his residence from Manhattan Beach to Mission Beach, and of "dirty beach", etc.

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

Communication from George H. Hammon, 1212 Johnson Ave., San Diego 3, dated February 4th 57, was presented. It tells of holes in sidewalk and pavement near 5th Avenue and University Avenue, and vicinity.

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



Communication from San Diego City-County Band and Orchestra Commission, February 5, 1957, by Cletus W. Gardner, secretary, submitting for approval musical event to be held 4-21-57, was presented.

RESOLUTION 137722, approving music event, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137723, directing notice of filing Assessment 2566 made to cover costs and expenses of work done on paving and otherwise improving Alleys in Catalina Terrace, Resolution of Intention 134755, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137724, directing notice of filing Assessment 2564 made to cover costs and expenses of paving and otherwise improving Alley Block 22 Ocean Beach Park, Resolution of Intention 134644, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137725, directing notice of filing assessment 2565 made to cover costs of paving and otherwise improving Alley Block 40 Ocean Beach, Resolution of Intention 132783, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF AWARD 137726, accepting bid of Albert W. Burrmann, an individual doing business as Standard Electric, for modernization of street lighting system in India Street, Columbia Street, State Street, Union Street, Front Street, 1st and 2nd Avenues, B and C Streets, Resolution of Intention 136422, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

City Engineer reported in writing that low bid was 5.6% below the estimate.

RESOLUTION OF AWARD 137727, accepting bid of Pavichk Construction Co., a corporation, and awarding contract, for grading and installation of sidewalks in Redwood Street, East Virgo Road, Sue Street, Alice Street, Lynn Street, Juanita Street, and 60th Street, Resolution of Intention 136421, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

City Engineer reported in writing that low bid was 7.0% below the estimate.

RESOLUTION OF AWARD 137728, accepting bid of San Diego Gas & Electric Company and awarding contract for furnishing electric energy in La Jolla Lighting District 1, for 1 year from and including January 1, 1957, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION OF AWARD 137729, accepting bid of San Diego Gas & Electric Company and awarding contract for furnishing electric energy in Presidio Hills Lighting District 1, for 1 year from and including February 1, 1957, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

2/14/57

RESOLUTION ORDERING WORK 137730, for paving and otherwise improving Everts Street, Resolution of Intention 136916, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 137731, for installation of sewer mains in Payne Street, Greely Avenue, and Public Rights of Way, Resolution of Intention 136918, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 137732, for paving and otherwise improving Orten Street, Resolution of Intention 136917, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

At this point, Councilman Schneider explained to the audience the rapidity of adopting the routine items, and told of conference having been held preceding the meeting to consider items which need more than perfunctory action.

RESOLUTION 137733, directing notice inviting sealed proposals for furnishing electric energy for Talmadge Park Lighting District 1, for 1 year from and including March 1, 1957, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 137734, for changing grade of Lytton Street, Chatsworth Boulevard, according to map filed as Document 546999, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

In connection with the next 3 resolutions, Councilman Burgener asked about the time for hearings.

Councilman Schneider moved that hearing be in 2 weeks.

Councilman Schneider moved that hearings be "as required by the Act". (Proper hearing dates were then inserted by the Clerk).

RESOLUTION OF INTENTION 137735, electing to proceed under provisions of Street Vacation Act of 1941, declaring intention of the Council to vacate portion of Gregory Street, and fixing time and place for hearing, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 137736, electing to proceed under provisions of Street Vacation Act of 1941, declaring intention of the Council to vacate portion of Ivy Street, and fixing time and place for hearing, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 137737, electing to proceed under provisions of Street Vacation Act of 1941, declaring intention of the Council to vacate portions of Roanoke Street, Calle Gaviota, and Sea Breeze

2/14/57

and Rancho Hills Drive, and fixing time and place for hearing, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 137738, directing time and place for hearing protests, and directing notice of hearing, for furnishing electric energy in Talmadge Park Lighting District 4, for 1 year from and including April 1, 1957, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137739, ascertaining and declaring wage scale for paving and otherwise improving Crown Point Drive, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137740, ascertaining and declaring wage scale for paving and otherwise improving Melrose Place, Public Rights of Way in Lots 24 & 25 Block 15 Beverly, Roswell Street, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137741, ascertaining and declaring wage scale for paving and otherwise improving Nashville Street, La Salle Street, Western Street, Lapwai Street, Jupiter Street, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137742, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise paving Rosecroft Lane, Resolution of Intention 135355, and to be assessed to pay expenses, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137743, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installation of ornamental lighting system in 3rd Avenue, 4th Avenue, 5th Avenue, 6th Avenue, E Street, F Street, G Street, Plaza in Horton's Addition, Resolution of Intention 135356, and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137744, adopting recommendation of City Engineer, Document 547718; authorizing City Engineer to amend proceedings for improvement of Alley Block 197 City Heights in accordance with the recommendation, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137745, adopting recommendation of City Engineer, Document 547720; authorizing City Engineer to amend proceedings for improvement of portions of Calle Aguadulce and Calle Tocon and Roanoke Street in accordance with the recommendation, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137746, adopting recommendation of City Engineer

Document 547719; authorizing City Engineer to amend proceedings for improvement of Revere Avenue, Glendora Street, Bunker Hill Street and Del Rey Street in accordance with the recommendation, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137747, granting petition, Document 547464, for installation of sanitary sewers to serve portions of Evelyn Court and Kensington Point; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including portion of Talmadge Park Unit 2 and Lot 23 Rancho Mission of San Diego, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137748, authorizing City Manager to employ V. R. Dennis Construction Company to do work as provided by Drawings 12695-L and 126954A-L in connection with 1911 Street Improvement Act proceeding contract, not to exceed \$435.73, payable from Ordinance 5341 (New Series), was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted. This has to do with improvement of Logan Avenue.

RESOLUTION 137749, authorizing City Manager to employ Sim J. Harris to do work as provided by Drawings 3173-D and 3174-D in connection with 1911 Street Improvement Act proceeding contract, not to exceed \$905.00 payable from Ordinance 5341 (New Series), was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted. This has to do with improvement of A, Ash, and 33rd Streets.

RESOLUTION 137750, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with Case Development Co., a corporation, 5506 University Avenue, San Diego, providing for installation of additional improvement on Grammercy Drive, in connection with work to be done under agreement with the City for installation of improvements in Mission Village Unit 2 subdivision, and reimbursement in sum of \$5142.30 in accordance with Contract Document 548215, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137751, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with Fisk Development Company, a corporation, 5506 University Avenue, San Diego, for installation of additional improvement on Grammercy Drive, in connection with work to be done under agreement with the City of San Diego, for installation of improvements in Mission Village Unit 1, and reimbursement in sum of \$834.45 in accordance with Contract Document 548216, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137752, authorizing and empowering City Manager to execute, for and on behalf of the City, an amendment to Utility Agreement No. 6702 with Department of Public Works, Division of Highways, State of California, in connection with highway construction on Road XI-SD-2-SD between 0.4 mile south of Washington Street and Barnett Avenue, under Document 548218, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137553, approving Change Order 2, dated 4 February 1957, Document 548012, issued in connection with contract between The City of San Diego and Standard Dredging Corporation, for dredging bay of San Diego, vicinity of 10th Avenue Marine Terminal, contract Document 523215, amounting to increase in contract price of \$816.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137754, declaring bid of William Hillyer highest bidder at sale by auction held January 29, 1957, for portion of Indiana Street closed, between Myrtle and Upas Streets; accepting the bid, and selling the property at \$10,250.00; 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 to William Hillyer and Betty-Potter Hillyer, was on motion of Councilman of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that auction was pursuant to Resolution 137074; minimum price fixed by the Council for the sale was \$5,000.; the City Manager has recommended acceptance of the bid; it authorizes City Auditor and Comptroller to refund to William Urban \$250.00 deposited in compliance with the San Diego Municipal Code prior to auction sale. It states that William Urban is entitled to broker's commission of \$512.50, having represented as broker the successful bidder; authorizing and directing City Auditor and Comptroller to pay out of money received as the purchase price \$512.50 as broker's commission. Resolution authorizes and directs the City Clerk to deliver deed to Property Supervisor with instructions that it be deposited in escrow opened for purpose of completing the sale.

RESOLUTION 137755, declaring bid of Victor Selton highest bidder at sale by auction held February 5, 1957, for ~~portion~~ Lot 33 New Riverside; accepting the bid, and selling property at \$3,550. per acre, total consideration of \$58,220; 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 to Victor Selten, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that auction was pursuant to Resolution 137075; minimum price fixed by the Council was \$3,500 per acre; the City Manager has recommended acceptance of the bid. It authorizes and empowers City Auditor and Comptroller to refund to Ralph E. Spaid \$2,870 deposited in compliance with Section 22.904 of San Diego Municipal Code prior to auction sale. Resolution authorizes and directs City Clerk to deliver deed to Property Supervisor with instructions to complete the transaction.

RESOLUTION 137756, denying claim of Roy Noel, 4573 Campus Avenue, San Diego, submitted January 18, 1957, Document 547784, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137757, vacating general easement over portion of Pueblo Lot 1191, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution says that the City acquired easement by deed recorded June 21, 1954, Book 5275 page 372 official records; easement has not been used for purpose for which acquired since date of acquisition to present time; the City has no present or prospective use for easement and City Manager recommends that the City abandon its interests. It says that from and ~~date~~ after date of the order of vacation, title to the land

2/14/57

free from rights of the public. Resolution authorizes and directs 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 137758, authorizing and empowering Mayor and City Clerk to execute for and on behalf of and as act and deed of The City of San Diego, quitclaim deed quitclaiming to Albert Sidney Freedman, Jr., and Katherine M. Freedman, general easement in portion Lot 17 Block 6 Golden Park, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution says that The City is desirous of acquiring portions of Lot 17 Block 6 Golden Park, for general public purposes; the Freedmans, owners of the land are willing to deed to the City in exchange for quitclaim deed from the City to portion of said Lot; value of the parcels are equivalent: \$100.00. It directs City Clerk to deliver deed to Property Supervisor with instructions to complete the transaction.

RESOLUTION 137759, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, quitclaim deed quitclaiming to Isabel Bedford, as her sole and separate property, Lots 36, 37, 38 Block 128 Choate's Addition, portions of Lot 36 and 37 Block 128 Reed and Swayne's Addition, ~~portions of Lots 36 and 37 Block 128~~ Central Park Addition, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted. Lots 50, 51, 52, 53, 54 Blk 143 City Heights are included. Resolution says that The City is desirous of acquiring portions of Lots 13 and 14 Block 13 Nordica Heights Unit 2, and portions of Lots 4 and 5 Block 412 H. E. Skinner's Addition, for Nordica Heights and South Chollas Creek storm drain projects; Mrs. Bedford is owner of the land and is willing to exchange for quitclaim from the City of property mentioned. It says value of the property is equivalent: \$1,700.00. It directs City Clerk to deliver deed to Property Supervisor with instructions to complete the transaction.

RESOLUTION 137760, authorizing and empowering Mayor and City Clerk, for and on behalf of and as act and deed of The City of San Diego, to execute quitclaim deed quitclaiming to Funston C. Johnson and Carol B. Johnson portion of water drainage pipe easement 10.0 feet in width in Lot G La Mesa Colony, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution says that The City is desirous of acquiring portion of Unnumbered Tract of land in La Mesa Colony for water drain easement; The Johnsons, owners of the land are willing to exchange property for quitclaim deed from the City of property mentioned; value of properties are equivalent: \$100.00. It directs City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to grantees upon receipt by the City of deed covering property required by the City.

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

ORDINANCE 7338 (New Series), amending Civil Service Rules, and Article III Chapter 2 of The San Diego Municipal Code relating to Civil Service, was on motion of Councilman Schneider, seconded by Councilman



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

(The change has to do with residence requirements: employees must reside in the County of San Diego; policemen and firemen must reside in that portion of the County of San Diego which is within a 20<sup>1</sup>/<sub>4</sub> mile radius of the City and County Administration Building).

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 written or printed copy.

ORDINANCE 7339 (New Series), amending Chapter II Article 4 Division 1 of San Diego Municipal Code, by amending Section 22.0101, setting time and place for Council meetings, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

(The ordinance provides for regular meetings of the City Council to be held at 10:00 o'clock A.M. of each Tuesday and each Thursday of each week, but the Council may by resolution, when necessary, change time and place of regular meetings, etc.). This has to do, specifically, with moving the Council meetings from the Council Chambers to the County Board of Supervisors Chambers during the time the Council Chambers are being remodeled - as the Supervisors have been meeting in the Council Chambers while their meeting room was being remodeled.

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

On motion of Councilman Burgener, seconded by Councilman Curran, reading in full prior to final passage was dispensed with by vote 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 7340 (New Series), appropriating \$87,000.00 out of Capital Outlay Fund for grading, sidewalking and otherwise improving portions of 55th, 56th, Trojan Avenue, Sharron Place, Spartan Drive and Public Rights of Way adjacent to the Will C. Crawford High School, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

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

ORDINANCE 7341 (New Series), appropriating \$31,300.00 out of Capital Outlay Fund, for modification of Traffic Signals, Safety Lighting Systems and Street Improvements at certain intersections with Chatsworth Boulevard, El Cajon Boulevard, Third Avenue and 12th Avenue, 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.

(The specific intersections are set out in the Ordinance).

2/14/57

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

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

ORDINANCE 7342 (New Series), appropriating \$10,500.00 out of Capital Outlay Fund for constructing restroom in Balboa Park, near 28th and Ash Streets, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

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

ORDINANCE 7343 (New Series), appropriating \$6,500.00 out of Capital Outlay Fund, for paving portion of Gramercy Drive, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

RESOLUTION 137761, authorizing and empowering City Manager to execute agreement with William E. Parker, as Consultant to the City, under Document 548233, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

(The agreement calls for study of organization, methods of operation, practices and procedures of engineering and public works of the City, including, but not limited to, organizational structure, staffing patterns, etc., as may be requested by the City Manager; study problems and practices relating to 1911 Improvement Act procedures; reports requested by the City Manager as results of the studies; recommendations deemed advisable or necessary - \$1,400.00 per month, plus personal living expenses, not to exceed \$250.00 per month, plus actual travel expenses from his home to San Diego and return, etc.)

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

It was a petition requesting improvement of Alley Block 9 Ocean Beach and Block 93 Pt. Loma Heights, under 1911 Improvement Act as amended - by grading and paving.

Accompanying the petition was letter from Allan V. Mutt, 4520 Coronado Avenue, dated Feb. 13, 1957, addressed to Councilman Williams.

On motion of Councilman Schneider, seconded by Councilman Burgener, documents were referred to the City Manager.

There being no further business to come before this meeting, the Vice Mayor declared the meeting adjourned at 10:18 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

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

By

*August M. Hadstrom*  
Deputy

7342 N.S. - 7343 N.S.

137761 - under U.C.

Petition for Alley improvement - under U.C.

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, February 14, 1957

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

Immediately upon adjournment of the preceding meeting, the Vice Mayor called the meeting to order at 10:18 o'clock A.M.

Ordinances and Resolutions are recorded on Microfilm Roll 125.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Planning Commission recommendation that Master Plan of the City be amended to provide for construction of Civic Theatre in the general area of Balboa Park lying east of Park Boulevard, between Laurel Street and Veterans War Memorial Building and Florida Street Canyon, the Vice Mayor announced that the hearing would be held on placing of the Civic Theatre in the Master Plan. He said that discussion would not be on other facilities, plans, and price.

Councilman Curran spoke of not considering alternates (at this time).

The Vice Mayor said that "this one is specific".

Councilman Burgener said that the hearing has to do with public interest - in the area.

The Vice Mayor added "the general area".

Councilman Schneider pointed out that consideration of the master plan for public buildings is a routine established by State law.

Vice Mayor Williams read a report from the Planning Commission, by Harry C. Haelsig. It says that as requested by the Council and in compliance with Resolution 136979, the Commission held a public hearing January 23, 1957, on placing a Civic Theatre in the Public Buildings Plan of the Master Plan of The City of San Diego, utilizing therefor the area adjacent to the easterly line of Park Boulevard, between Morley Drive and Laurel Street. It states that the Park and Recreation Commission has reaffirmed its former action of January 1, 1955, which stated, "the Park and Recreation Commission recommends that the Civic Theatre be constructed in that general area of Balboa Park lying east of Park Boulevard between Laurel Street and the Veterans War Memorial Building and the Florida Street Canyon." It states that at the public hearing there were no objections to the recommended site shown on Drawing B-639, and the Commission voted 7 to 0 to recommend its adoption and inclusion in the Public Buildings Plan of the Master Plan of the City. The communication also says that the approval of the Planning Commission included a recommendation that the existing Master Plan of Parks (Ordinance 3802 adopted July 20, 1948) be amended to provide a site for a Municipal Theatre, as shown on Drawing B-639. It attaches a copy of the department's report to the Commission which includes a resume of the history of the Civic Theatre covering the past ten years. It recommends that the City Council have the City Attorney prepare necessary resolution and hold public hearing, and that the plan (Dwg. B-639) be made a part of the Master Plan of the City of San Diego.

The Vice Mayor stated that many persons were here (the Council Chambers were packed to overflowing) to speak in behalf of the site.

Mrs. Henry B. Clark came to the microphone and said that "at the present moment, I represent over 6,000 women in favor of the site". She said that in 2 weeks time, she has practically every woman in favor.

Vice Mayor Williams, after consulting with members of the Council, announced that 1/2 hour would be devoted to hearing each side.

Meeting convened  
Hearing

2/14/57

Mrs. Clark identified several individuals, and spoke of presidents of organizations being in favor of this site.

Proponents were invited to be heard first.

Vice Admiral Wilder Baker, USN-ret., president of San Diego Symphony Orchestra Association, said he was in favor of a theatre, opera House, Concert Hall in Balboa Park. He said that as Vice President of the La Jolla (San Diego County Theatre & Arts Foundation), he favored this site, also.

Mrs. E. Minton Fetter, Los Angeles Philharmonic Orchestra committee representative, expressed herself as being in favor of this site, and told of need for a civic theatre. She told of it being dangerous to unload children at Russ Auditorium, and of many people being unable to attend the young peoples concerts.

Mrs. Walter Trevor, who identified herself as present of the opera guild in 1952, stated that operas presented (here) by the San Francisco Opera company have been a success. He told of it being unusually successful for it to be a monetary success. She said that it is "not a whim of the opera guild". She stated that "Russ Auditorium as an opera house is real bad, and related the Russ' faults. She said that the San Francisco Opera Association had refused to re-appear at the Russ.

Robert Sullivan, president of the Star Light Opera said "that is really not opera, but musical comedy". He said that a civic theatre would bring many good shows. He pleaded for establishing adequate parking, and said that the zoo needs the parking during the day time (when theatre might be used, also).

Mrs. Frazer McPherson pointed out that when San Diego was 1/4 or 1/3 of the present size, San Diego had many professional companies from Broadway; now there is nothing. She added that "once in a while, a hardy producer will come to the Russ, but producers would come to a theatre; the Los Angeles, San Francisco, and Seattle productions would come.

Mrs. Lucille Palmer, of the Palmer Box Office, said that "if something is not done, there will be no entertainment in San Diego". She stated that when the Junior College was built (across from Russ Auditorium, at the High School), no provision was made for parking. She said that if there were an auditorium, there would be beautiful entertainment in San Diego.

Craig Noel, director of the Globe Theatre (San Diego Community Theatre in Balboa Park), said that 40 years ago men built a beautiful city around beautiful Balboa Park. He said that many people have come to San Diego because of Balboa Park, but that many areas of the park look the same as they did 40 years ago. He said that Park Boulevard is a disgrace; it would be an ideal site for such a theatre. He said it would be a most beautiful location of which all could be proud. He said it would be good 50 to a 100 years.

Mrs. Fred Payne said that she had lived in San Diego 23 years. She said that San Diego is now one of the principal cities on the West Coast; a civic theatre would aid its growth. She expressed endorsement of the plan, on the proposed site.

Sam Hammill, architect, said that his function has been to review the technical aspects. He stated that the site has been found to be proper, and that he concurs with the plan. He urged its acceptance.

Mrs. Harold Swan, representing 135 well known musicians, and 35 associates. She said that the Music Makers (professional musicians' organization) favors the theatre, and said that San Diego needs it.

Harriett Snyder identified herself as a "Save Balboa Park Citizens' Committee". She agreed that San Diego needs a civic theatre and an auditorium. She said that location needs are similar, and that they could be combined. She asked if they should be in the park. She said that if they are in the park, they should be where there is not already "rolling congestion". Mrs. Snyder told of need for surveys, and said that \$3,500,000 - with taxes on up - is a lot of money. She stated that this has been parachuted on the people of San Diego. She said that confidence of wise use of money for a theatre is shaken.

Vice Mayor Williams questioned Mrs. Snyder, and asked her to keep on the point. She spoke of site getting more and more congested. He asked Mrs. Snyder if she favored, or opposed.

Mrs. Snyder replied that she favored it - but not the site.

The Vice Mayor pointed out to Mrs. Snyder that she was taking time from the proponents (since the hearing was on the site).

Dr. Christie (James) - who said that he was associated with the group as being against the civic group for auditorium, et al - said that he was in favor of this site. He stated that the defeat of the bonds at the last election for the auditorium, was because of the voters wanting the facilities in Balboa Park. He said that the area is now a "turn-around for the bus company". He said that he was 100% back of this site.

Mrs. Wm. Paxton Cary said that everyone in their hearts are unified for the civic theatre. She spoke of San Diegans being proud of the park. She said that even those against "want to do the top thing".

Carl W. Williams, First Vice-President, of San Diego Taxpayers' Association, read a prepared statement, dated February 14, 1957, which he filed. It says that the tourist and convention industry is one of San Diego's three major economic resources; if it is to flourish, San Diego must have facilities which can accommodate large groups ranging from 300 to 11,000 people; consolidation of required public assembly units into buildings for multiple use offers advantages (outlined in detail in the letter). It says that research has indicated that if a theatre is separated from the other public assembly opponents, it will receive very little use in relation to its maximum potential use. It goes into details, and says that "in summary, the San Diego Taxpayers' Association again reiterates that it is not recommending any site, but believes that you should not initiate any program separating the units of an adequate public assembly facility. You have retained an expert firm of analysts that recommended consolidation; and, although the electorate has recently twice rejected a single multi-purpose plan, the Association believes the rejections were on the basis of location, not consolidation".

Harriett Snyder came to the microphone again, and said that the site proposed is disadvantageous, regarding parking and congestion. She said that the parking area around the site (proposed) is used by zoo patrons in the daytime, and that at night for parking by several existing uses, at Roosevelt High School. She said she had been told by Mrs. Clark that no estimate of parking was necessary. She said that there are 2,000 car spaces in the many areas, and pointed out that Veterans' building parking is there now; the children's zoo is to open in the middle of June, with more cars. She said that if the site is to be in Balboa Park, there is a level expanse on Morley Field, which is accessible, and which would not be crowded.

John Allen, president of San Diego Junior Chamber of Commerce, said that the Chamber does not necessarily oppose the site, but that putting this in the master plan is to abandon the multiple purpose plan. He told of having written asking for continuance, for additional information. He pointed out that the Stanford Research Report (on the area voted down twice) was accepted by the Council. He told of the Junior Chamber having taken an active interest for assembly facility.

Bill Scroggs said that he was "here as a friendly opponent". He told of having worked for a facility, and having supported it for many years. He stated that this is opposition based on the premise of a Civic Theatre, alone, which is not the answer to San Diego's needs and the best interest of the taxpayers. He told of a private poll showing that 92% are in favor of a multi-purpose facility in Balboa Park - including a civic theatre. He said that he recommends, as an individual, that action be deferred until a unified program can be presented. He told of that being O.K'd by the Taxpayers' Association. He said that if this is on the ballot (site in Balboa Park for the Civic Theatre), it would not be the answer to the program. Mr. Scroggs stated that "a combination is the best answer for San Diego". He asked for deferment of action, on another plan. He said "the site is O.K."

Wilder Baker, Jr. (whose father had spoken in favor of this site), said that he appeared as an individual, only, and is in favor of a



2/14/57

civic theatre in San Diego. He said that "the effect of placing this on the ballot, and the well-being, is important". He said that last June the City voted on a Multi-Purpose facility. He said that in September a survey was taken, indicating that 4 months after June, 42% favored; 47% would vote against the November election, which indicated that it was accurate. He said that at the defeat in November it was felt by the voters that they were having something crammed down their throats. He said it is a question if civic theatre answers the needs. Mr. Baker said that other facilities are needed, too. He said that if it goes back on the ballot in April, there will be distaste about cramming down the voters' throats (again). He said that would delay other facilities.

Rom Cunningham said to the Council that he was speaking as an individual. He said that this would delay a multi-purpose unit. He said that more than a music hall should be considered.

Mercedes Gleason (Mrs. Mercedes Shea Gleason), spoke of a wonderful group of people; men have been the head; women the heart. She said that women usually give in for the good of all. She maintained that 6th and Date is the best site. She spoke, specifically to the audience, to which she turned - and referred to a book by Dr. Frank Low.

When Mrs. Gleason had completed her presentation, Councilman Burgener said that she is a candidate for his seat (for which he is not running).

Mrs. A. M. Vaughn said that she was in opposition to this site, the same as Carl Williams; she had the same reasons. She said that this would put aside the multi-purpose facility, and defeat the auditorium.

Peggy Anzer said that she is a member of the Civil Defense, and that the organization can't hold its meetings at the high school because of there being no parking. She said that in Kansas City, there was multi-purpose facility built because of no parking, and said that "the symphony was too large (or loud)." She said that this "can go to Del Mar".

Roland Reed said it should be arranged so there can be built an auditorium on the same location. He asked where parking would be. He said there would be cut and fill. He told of having circulated a petition against the (this) location. He said "report says there is not enough of hotels to take care of 11,000, now," and advocated "putting on a plastic roof".

The Vice Mayor read to the Council a letter from San Diego Convention & Tourist Bureau, dated February 14, 1957, signed by R. S. Stowell, president. It says that a joint working committee consisting of the Chamber of Commerce, the Junior Chamber of Commerce and the San Diego Convention and Tourist Bureau to explore further the needs and the proper place or places to put public assembly facilities, including an auditorium and/or civic theatre. It says that the Presidents of both Chambers are members of the Convention and Tourist Bureau Board of Directors and were present at the meeting. It requests the Council to defer action on the facilities with particular reference to civic theatre in Balboa Park area until such time as the joint committee can make its report.

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

Councilman Kerrigan moved to refer the subject to Conference. Motion was seconded by Councilman Evenson.

Councilman Burgener said that there is no need for reference to Conference. He said the city has been "dramatically unsuccessful to confine the facilities". He said that this would be a great benefit to comments.

Councilman Curran said he could see no need to refer to conference. He pointed out that there "have been quotes in part". He spoke of the Council having an obligation to the public, and should be given the opportunity to determine what the public wants. He said he wants to adopt a site on the ballot.

Councilman Schneider said "it is on the master plan; not on a ballot".

Councilman Kerrigan said that the question is the insertion of a civic theatre. He said that the Council is not considering (at this



2/14/57

hearing) combination of facilities, but a cultural thing on City-owned land. He said "there is need for study for land, for anything". He said the best thing to do is refer this to Conference, to lay out a program.

Councilman Schneider said that the history of this type of building goes back some time, and that the Planning Commission had (even earlier) recommended the site to be in the Park. He spoke of there having been many criticisms of the location in downtown (which failed), after study. He stated that a convention hall downtown can be justified; that is for visiting conventions. He said that has nothing to do with a civic theatre. He declared that it would be a mistake to put an auditorium in the park; this is a legitimate enterprise. He said if they "want it on the ballot, put it on".

Councilman Burgener opposed taking the subject to conference. He said the Council is trying to decide if it is in the public interest to place this site in the master plan.

Councilman Curran said that Planning has determined that it is in the interest of the public to eliminate the downtown site. There is no plan now. He said that Planning made studies, and held hearings.

Councilman Kerrigan withdrew his motion.

The Vice Mayor said that "there are dead-line dates".

Alan Firestone, Deputy City Attorney, said that February 21 would be the last day to put the measure on the ballot; February 28 would be the last day to call a special election.

Vice Mayor Williams said that this question is regarding the inclusion of the site on the master plan; this is not a decision to put the item on the ballot.

Councilman Kerrigan said to the Council that "16 years ago" he "voted for this, on the Planning Commission". (He was a member of the City Planning Commission). He said he is still in favor of it, and is trying to be practical.

RESOLUTION 137762, instructing the City Attorney to draw an ordinance to place the site for a Civic Theatre in Balboa Park (on the area covered at hearing this date) in the Master Plan - to be brought into the Council for the meeting of next Tuesday, February 19, 1957, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Councilman Curran moved that opponents and proponents be invited to a conference to be held at 9:00 A.M., next Thursday.

Councilman Burgener said it is not known if that can be in time for the April election. He said it could be placed on the ballot, and have a study time.

Councilman Kerrigan said that he can see this coming to a head by an election. He said "there will be opportunity for opponents and proponents". He spoke of not wanting to have this defeated; there should be a well thought out plan. He said it is a large area, and that there cannot be answers in a week. He said it may not be until June.

Councilman Schneider said that "it will take 1-1/2 year, if the Council does not act now". He said that the City will be wealthy one day; but not now. He said this thing could be now, and that in some respects it would bring in money. He said "there is enthusiasm, now". He expressed favor of ~~nothing~~ <sup>the thing</sup>, now.

Councilman Curran reviewed his motion.

Councilman Williams, the Vice Mayor, asked how representatives would be chosen for a conference, and asked who they are.

Councilman Curran said "it's clear who they are"; 5 from each side would be a good cross-section."

The Vice Mayor said that there is a responsibility to permit putting the item out before the people. He asked if groups could not get together at one meeting.

Councilman Evenson said that when hearing was held for a multi-purpose facility the room (Council Chamber) was filled. He said he was not sure of having enough information for a decision.

Councilman Burgener said that the Council is going to have to make a decision. He recommended that the Council have a conference for its members.

2/14/57

Councilman Kerrigan said that "the Council is having a conference now"; "conference is being held now". He said that the Council is not going to come to a conference decision today.

Councilman Schneider stated that the Chambers of Commerce (the 2 of them) have a point, and that the Stanford Research hearing was regarding "drawing these same ladies" (in support). He said that it still fell through. He said it would not tie up in the Park, to combine; he was not disturbed.

The motion was withdrawn.

The Vice Mayor asked if the City Manager could accumulate material for a conference in one week.

RESOLUTION 137763, referring to City Manager, for report to Council Conference, the matter of placing a Civic Theatre in Balboa Park, together with pertinent data, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

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The hour of 10:00 o'clock A.M. having arrived, time set for hearing on the appeal of Town & Country Development Inc. (by Charles H. Brown, president) from denial by City Planning Commission of Conditional Use Permit Case 941 to build and operate service station as part of their hotel development, Councilman Kerrigan asked if 5 votes would be needed (to overrule the City Planning Commission).

Alan Firestone, Deputy City Attorney, replied that he would check.

There was discussion between Councilman Schneider and Vice Mayor Williams.

The report of the Planning Commission was read to the Councilmen.

Harry C. Haelsig stated that the Commission's vote was 3-3.

Charles Brown, president of Town and Country Hotel, in Mission Valley, reviewed past activities, and spoke of having had a zone variance. He said "the Mission Valley Improvement Association has approved a service station" (on the hotel property). Then he spoke of having various variances. He said that requirements for the services to be at the rear of the property. Mr. Brown declared that "conditions in the Valley have changed", and told of new developments. He told of having had to change plans. He said it was not known that the City planned a flood control change, and now the State Highway Commission has changed plans. He said there was to have been an over-pass; it is now to be an under-pass. He said there are shake shingles, now, and there will be ceramic shake shingles on the service station. He spoke of being as close to the building as its own units. He told of having had trouble with financing, because the station was to be at the back. Mr. Brown said that many can be serviced at the front. He said that "San Diego is competing with Palm Springs", and that it is a job to help establishments grow and develop. He said that with a station at the rear, within 2 years from now, another will be put in the front. He said that Mission Valley Inn (constructed, recently, across Mission Valley Road) "has put us on our toes". He declared that anything that can be done for establishments, should be done.

Mr. Haelsig spread out map of highway development, which he explained to the Council. There was discussion over the maps. Mr. Haelsig said that there would be additional traffic hazard regarding turn.

There was discussion about service roads, during which Mr. Brown spoke of not having access, at a point to which he pointed on the map. He said that there would not be access from the service station to the highway; it is sitting behind a bank of dirt. Then, he said it would not be approaching the highway from the property. He pointed out on the map the "in" and "out" of the property. He declared that protestants did not understand; they did not know; they would not see.

There was discussion between Councilman Schneider and Mr. Brown about servicing.

++ The Council took a recess, and reconvened at 2:04 o'clock P.M. Present-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Absent-Mayor Dail.

Mr. Brown told of need for service (road) real bad. He said that there are no plans for widening, but the City has taken land. He told of paying taxes on land that can't be used, and paying the City for water main. He said that they are paying for trash collection that they don't get.

The Vice Mayor discussed with Mr. Brown the original variance (to build the hotel in the Valley), and the new request. Mr. Brown told of needing every foot, and that the highway is planned for 15 and 20 years in the future.

Mr. Haelsig said that the same requirements are on the Mission Valley Inn and the Bowlero, across the road. He declared that if the request were granted, there would be service stations up and down the Valley. He read a Mission Valley Association letter in opposition to a station on the front, on the highway.

Mr. Brown said that since the letter was written, he had talked to them, and said that "businesses are set" (for the Valley). He said that when the hotel was built originally, it was set according to State request. He said that the last variances were not for buildings, just parking. He said "please approve the request".

Councilman Kerrigan asked Mr. Brown if the service station would be leased.

Mr. Brown said that it would be leased by Town & Country, which would have control at all times.

Councilman Curran, in looking at the turn off, he asked how the Fire Department's feeling would be.

The City Manager said that the item has not reached the department, and that the departments affected would not offer objections until such time as the subject comes up.

Mr. Firestone, having checked, said that it "needs 5 votes to overrule".

Councilman Burgener said that it would be up to the applicant if he would want a continuance.

Mr. Haelsig spoke of having required 8 feet for sidewalk, an additional driving lane, and 1 parking lane. He said that if disabled, a car has to park on the pavement. He pointed to a map, which he explained to Councilman Schneider. He said that the sidewalk area is needed for many uses, which he enumerated. He said that "there are some 100-foot frontages for residential uses".

Mr. Brown agreed to conform to the architecture. He spoke of having a plan for 5 acres for each development.

#### Councilman Kerrigan was excused

Councilman Schneider discussed with Mr. Haelsig the service roads, for emergencies, and for other developments.

Mr. Haelsig spoke of nationally being 8 to 10 miles on free-ways.

Councilman Schneider said he was not sure of being able to afford "this kind of planning in the future; it constitutes confiscation". He said use (of property taken in connection with variances) is uncertain.

#### Councilman Kerrigan returned

Mr. Haelsig spoke about setback on Pacific Highway and Witherby. He said buildings are being moved, now.

Councilman Evenson said "this is bartering; if they are given the service station, the City demands land".

Councilman Burgener spoke about right of way of 483 feet being not included.

Councilman Kerrigan said that the appellant is entitled to have 7 present, and that he has to go to a meeting (1 member was absent).

Councilman Curran said that if this is postponed, it won't solve the problem. He spoke of need for a uniform policy.

The Vice Mayor asked if there was any opposition in the audience. There was none.

2/14/57

Councilman Kerrigan moved to continue the hearing 1 week.  
On motion of Councilman Kerrigan, seconded by Councilman Evenson, hearing was continued to the hour of 10:00 o'clock A.M., February 19, 1957.

Report of Purchasing Agent on low bid of Standard Oil Company of California for furnishing Gasoline for 1 year beginning February 15, 1957, was presented. It says that in addition to combining requirements of The City, The County of San Diego, The San Diego Unified School District, bidders were requested to quote on requirements for Cities of El Cajon, La Mesa, Carlsbad, Chula Vista, National City, Escondido Cemetery District, School Districts of the County for which the County purchases gasoline. It says that substantial savings will therefore be made available to these agencies.

RESOLUTION 137764, accepting bid of Standard Oil Company of California for furnishing Gasoline for 1 year beginning February 15, 1957: Ethel, and Regular; at prices, and at locations shown in detail in the resolution; plus applicable taxes; 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 Evenson, adopted.

Report of American Brush Materials Company for furnishing 30 tons of Palm Fibre for street sweeper @ \$205.00 per ton plus tax- for storeroom stock; 9 bids - was presented.

This item was explained to the Council by the City Manager.

RESOLUTION 137765, accepting bid of American Brush Materials Company for furnishing Palm Fibre Stalks; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Bellevue Terrace Unit 1, consisting of 5 lots located in Bird Rock Area, subject to posting bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 137766, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Soledad Realty & Development Company, a corporation, for installation and completion of unfinished improvements and setting of monuments required for Bellevue Terrace Unit 1 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137767, adopting Map of Bellevue Terrace Unit 1, subdivision of east half of Lot 9 and all Lots 10 and 11 Block 29 Bird Rock Addition, Lots 20, 21, 22 and portions 23 and 24 Block 3 Buena Vista Tract, portion La Jolla Mesa Drive closed, portion of Alley closed in Block 29 Bird Rock Addition; accepting on behalf of the public, easements shown for sewer, water, drainage and public utilities, for public purposes; declaring them to be portion of street, portion of alley and easements, etc. dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that the Council has approved the subdivision map and they are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of

Purchasing reports

Planning report

137764 - 137767

Supervisors of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Casadura Heights, located on La Cumbre Drive, between Muirlands Drive and Hartley Drive, in Muirlands area, consisting of 2 lots, was presented.

RESOLUTION 137768, adopting Map of Casadura Heights Subdivision, a subdivision of portion of Pueblo Lot 1256, accepting on behalf of the public portion of La Cumbre Drive, portion of Hartley Drive and portion of Calle Majorca, and easements shown for sewer, water, drainage and public utilities; 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 to Clerk of Board of Supervisors of County of San Diego the Map, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Tentative Map of Loma Gardens, a 1-lot resubdivision of Lot 10 and portion Lot 11 Block 23 Montemar Ridge Unit 2, portion Lot 12 Block 16 Montemar Ridge Unit 1, portion Lot 13 Block 9 Bayside Country Club Estates Unit 1, located on northerly side of Rosecrans Street between Madrid and Evergreen Streets, was presented. It says that proposed redivision into 1 large parcel is for apartment house site; property is within R-1 zone, pending filing of final subdivision map in order that ordinance changing to R-4 will become effective. Its approval is subject to 7 conditions, and suspension of portion of the Municipal Code.

RESOLUTION 137769, approving tentative map of Loma Gardens; suspending portion of Municipal Code, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, for Richard L. Weiser, recommending approval of Final Map of Rizzo Terrace, subject to posting of bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 137770, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Joseph Rizzo and Mary Rizzo, for installation and completion of unfinished improvements and setting of monuments required for Rizzo Terrace 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 137771, adopting Map of Rizzo Terrace Subdivision, portion of Lot B La Mesa Colony; accepting on behalf of the public Saranac Street and Lenore Drive, and portion of 67th Street and easements shown for water, sewer, drainage and public utilities, for public purposes; declaring them to be dedicated to public use; rejecting as dedication for public street portion 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 Council has approved the subdivision map, and that streets and easements are accepted on behalf of the public, and that the Council rejects dedication of portion marked "Reserved for Future Street"; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.



2/14/57

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Speer Tract, a 1-lot subdivision of portion of Bayview Tract Map 104, located on southwesterly side of Midway Drive and southeasterly side of Rosecrans Street, both of which are part of the City's major street and highway plan - zoned C-1A subject to filing subdivision map, 15 conditions, and suspension of portion of Municipal Code, was presented.

RESOLUTION 137772, approving tentative map of Speer Tract; suspending portion of the Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by P. Q. Burton, reporting on petition for closing portion of Madison Avenue at Southwest End, was presented. It says that the Commission in February heard Mr. Boldman at some length, and Mr. Mueller the property owner across the street. It reports that the Commission found no new evidence, and voted 5-0 to re-iterate previous recommendation of denial.

RESOLUTION 137773, denying petition for closing west 10 feet of Madison Avenue adjacent to Villa Lot 79 University Heights, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

By the same motion, the papers were filed.

Communication from Planning Commission, by P. Q. Burton, recommending adoption of an emergency interim regulation similar to R-1 for the entire area shown on drawing C-135 - under annexation proceedings and known as "Mission Village Tract" - approximately 215 acres, located north of Mission Valley, east of Cabrillo Heights and south of Rosedale, was presented. It says area is proposed to be subdivided as residential area, but with tentative indications of future commercial development of a community or neighborhood type.

RESOLUTION 137774, adopting recommendation of Planning Commission for interim zoning in portions of Lots 36 and 41 Rancho Mission; requesting City Attorney to prepare and present ordinance for Interim Zoning, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by P. Q. Burton, recommending that interim regulation similar to C-1A and R-4 be adopted on portion Lot 17 Rancho Mission, Plat 6256aB = Sera Amusement Company annexation, at southeast corner of Federal Boulevard and Euclid Avenue, 22-acre parcel occupied by a drive-in theater - was presented. It says that C-1A is proposed to be same as C zoning immediately west across the street, occupied by Mayfair Market, and that this C zone extend easterly along Federal Boulevard for distance of 300 feet; balance to be R-4. It recommends that Planning Commission initiate conditional use application for approving operation of the drive-in theater (which is already there) in the proposed R-4 zone.

RESOLUTION 137775, adopting recommendation of Planning Commission for establishment of Interim Zoning in portion Lot 17 Rancho Mission (Sera Amusement Company Annexation); requesting City Attorney to prepare and present necessary ordinance for Interim Zoning, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Communication from City Attorney, dated February 11, 1957, signed by Mona N. Andreen, re Superior Court Action #212371 Frost et al vs.



The City of San Diego, was presented. It says that recently, owners of property involved in rezoning of Pueblo Lots 1202 and 1203, in the triangle adjacent to Sharp Memorial Hospital, filed action against The City to have ordinance establishing original property declared unconstitutional, and permit owners to make commercial use of the property as if it had been rezoned to commercial zone. It says that subsequent to filing the action, attorney for plaintiffs, in conference with the City Attorney and others in the office, requested the Council to reconsider matter of rezoning. The communication says it was determined that by following proper procedure the matter could be reconsidered by the Council, and could be set for another hearing before the Council in connection with rezoning. It says that the letter is to advise the Council of the status of the lawsuit and of request of counsel for plaintiffs in connection with reconsideration.

Alan Firestone, Deputy City Attorney, said that this is for information.

On motion of Councilman Kerrigan, seconded by Councilman Curran, it was continued 1 week - to the meeting of February 21, 1957.

Communication from H. Robert Beitscher, 1469 Savoy Circle, San Diego 7, dated February 8, 1957, was presented. It thanks the Council for "all of your interest and patience during our council sessions with regard to the Chatsworth Estate (installation of sidewalks) resolution".

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

Communication from Amateur Athletic Union of the United States, dated February 8, 1957, by Richard Grihalva, president, was presented. It thanks the Council "for your wonderful support in backing the N.A.I.A. track meet", and pledges everything within its power to make it a successful nation-wide attraction as well as a financial success.

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

"File copy" of communication dated February 8, 1957, addressed to Mr. Leo B. Calland, director, Park and Recreation Department, from Richard Fisher, president of Pacific Beach Coordinating Council, 4738 Lamont Street, San Diego 9, was presented. It tells of having endorsed the proposed development of Kate O. Sessions Memorial Park on January 8, 1957. It requests employment of such means as are necessary to convince City authorities the necessity of beginning development of Kate O. Sessions Memorial Park (formerly Soledad Terrace Park) at the earliest practical date.

On motion of Councilman Schneider, seconded by Councilman Curran, it was referred to Park & Recreation.

Communication from San Pasqual Academy, Route 1, Box 890, Escondido, California, dated February 11, 1957, by W. T. Weaver, principal, was presented. It tells of the Academy having been established in 1948 under direction and management of the Southeastern California Conference of Seventh-day Adventists. It asks for discussion of "our mutual problem and what could be a satisfactory solution of them".

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

2/14/57

Copy of communication from Mrs. Helen L. Price, secretary, South Bay District Chamber of Commerce, Box 444, Imperial Beach, California, dated February 8, 1957, was presented. It recommends use of Brown Field as site for Municipal Airport.

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

Resolution of South of Broadway Property Owners' and Business Men's Association, signed by John H. Chamberlin, pres., was presented. It endorses the anti-litter program proposed by the Mayor's Anti-Litter Committee, and urges residents to provide themselves with sufficient number of legal containers as defined in Municipal Ordinance 5249 New Series.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was referred to the Anti-Litter Committee.

Communication from Dale Watson, 5208 Benton Pl., San Diego 16, dated Feb. 10, 1957, referring to the \$214,077 contract for ventilating "only two-thirds of the new City Library", recommending "old fashioned economy", and speaking of taxes going only one way...up, each year, was presented.

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

Report of Purchasing Agent, approved by City Manager, on low bids of Nielsen Construction Company, for Schedule I, for construction of foundation at Callan Standpipe, at \$18,211.65; second low bidder of Southwest Welding & Mfg. Co. for furnishing materials and erecting standpipe Schedule II, at \$173,603.00, was presented. It recommends rejection of Chicago Bridge & Iron Co. bid due to excessive time required for completion. It reports preliminary estimate of cost of work under Schedules I and II to be \$142,000.00.

RESOLUTION 137776, accepting bid of Nielsen Construction Company for construction of Callan Standpipe, Schedule I (Construction of Foundation); awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137777, accepting bid of Southwest Welding & Mfg. Co. for construction of Callan Standpipe Schedule II (furnishing materials and erecting standpipe); awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

#### RESOLUTION 137778, abolishing Taxicab Stands:

South side of C Street between points 16 and 36 feet west of Third Avenue;

South side of C Street between points 16 feet and 36 feet west of Fourth Avenue;

West side of First Avenue between points 16 feet and 36 feet north of C Street;

East side of First Avenue between points 20 feet and 40 feet north of Broadway;

East side of Fifth Avenue, between points 31 feet and 52 feet south of F Street;

East side of Sixth Avenue, between points 16 feet and 36 feet south of E Street,  
was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137779, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 57 locations, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137780, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement for maintenance of State highway, entitled "Amendment 3", dated January 1, 1957, with Division of Highways, Department of Public Works of State of California, under Document 548284, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137781, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego, with Cabrillo Village Development Co., a corporation, 339 West Broadway, San Diego, subdivider of Cabrillo Village Unit 1, providing for installation of mains and appurtenances larger than necessary for the subdivision, at Afton Road from Hurlbut Street to one-half block north of Dubonnet Street, required by the City and for reimbursement by the City to subdivider of \$3576.59 covering difference in cost between mains and appurtenances required by City and those necessary for subdivision, upon execution and delivery to the City of a quitclaim deed conveying to the City all right, title and interest of subdivider in and to water distribution system in Cabrillo Village Unit 1 subdivision, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137782, authorizing and empowering City Manager to execute, for and on behalf of the City, right of way contract-State Highway with State of California Department of Public Works Division of Highways, agreeing to necessary acts to consummate sale to State of California of Lots 15 to 18 inclusive; Lot 30; Lots 34 to 39 inclusive Block 116 E. W. Morse's Subdivision, form documented 548337, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137783, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, quitclaim deed quitclaiming to State of California, Lots 15 to 18 inclusive, Lots 30 and 39, and undivided one-half interest in Lots 34 to 38 inclusive Block 116 E. W. Morse's Subdivision; authorizing and directing City Clerk to deliver quitclaim deed to Property Supervisor, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution says that State Department of Public Works Division of Highways is desirous of acquiring portion of the land in fee title for extension of Federal Boulevard, a State highway; value of property is \$2,250.00; the Municipal Code authorizes sale for public purposes without advertising for bids, and City Manager has recommended property be sold to the State, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

2/14/57

RESOLUTION 137784, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, agreement with Haskins and Sells, a co-partnership, certified public accountants, providing for general audit of Water Department financial statements, under Document 548338, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution authorizing Property Supervisor to advertise for sale at public auction of Lots 1 to 20 inclusive Block 308 Pacific Beach, was presented. It tells of application to the City for auction, and of appraisal of \$45,000.

On motion of Councilman Burgener, seconded by Councilman Schneider, the item was continued until next Tuesday.

RESOLUTION 137785, approving sewer district or plat of tributary to the Northerly Branch of Tecolote Canyon Trunk Sewer, determining estimated cost, normal cost, and excess cost, re East Clairemont Subdivisions, etc., was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137786, approving pay increase for Ralph E. Graham, Hydraulic Engineer in the Water Department, from Step "A" to Step "B" of Standard Rate 38, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137787, approving pay increase for Carlton J. Peterson, Superintendent of Maintenance and Operation in the Water Department, from Step "A" to Step "B" of Standard Rate 39, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137788, approving request of Ets-Hokin and Galvan, January 28, 1957, Change Order 1, for extension of 80 days to and including April 27, 1957, filed as Document 548142, in which to complete contract for safety lighting at Wabash Boulevard and Nile Street, contract Document 542250; extending completion time to April 27, 1957, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137789, approving change order 1, February 1, 1957, Document 548144, issued in connection with contract between The City of San Diego and Clarence E. Rathbun for furnishing and installing street name signs, contract Document 543907; amounting to increase in contract price of approximately \$530.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137790, approving change order 2, February 13, 1957, for extension of time on contract with D & M Sprinkler Company and Jack's Sprinkler Co., for 30 days to and including March 3, 1957, contract Document 539766 to complete contract for sprinkler system in Torrey Pines Golf Course; extending completion time to March 3, 1957, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137791, approving Change Order 2, January 24, 1957, Document 547842, issued in connection with contract between the City of San Diego and V. C. Moffitt & Co. for installation of South Clairemont Park sprinkler system, contract Document 540799; increasing contract price by \$2,842.63, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137792, authorizing 2 representatives of City Planning Department to attend National Planning Conference of American Society of Planning Officials, in San Francisco, March 17 to 21, 1957, and incur all necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137793, denying claim of L. Castillo & Russell Thibodo Construction Co., by Russell L. Thibodo, P.O. Box 697 Vista, California, Document 544905, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137794, denying claim of Roger R. Evans, dba Evans Automotive Supply, 2317 India Street, San Diego 1, California, Document 546919, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137795, approving claim of W. V. Hutchison Co., Inc. (John A. Brand, president), Document 546032, in amount of \$2,701.08; authorizing City Auditor & Comptroller to draw his warrant in favor of W. V. Hutchison Co., Inc., 5835 Mission Gorge Road, San Diego 20, in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137796, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of The City of San Diego, Deed of Easement, form filed as Document 548361, granting to San Diego Gas & Electric Company easement for line of poles and wires together with appurtenant structures for purpose of transmission and distribution of electricity on East Half of Southwst Quarter of Section 28 and North Half of Northwest Quarter of Section 33, all being in Township 17 South Range 3 East, San Bernardino Meridian, in County of San Diego, State of California, according to United States Government Survey approved May 20, 1881, being 15 feet on each side of a center line described in form of deed of easement; repealing Resolution 137441, together with Deed of Easement authorized by that Resolution which is rescinded, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137797, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of The City of San Diego, Deed of Easement, form filed as Document 548362, granting to San Diego Gas & Electric Company easement for line of poles and wires, together with appurtenances, for transmission of electric power across Pueblo Lot 1324, to serve new sewage pumping station being constructed, and to serve newly developed subdivision to the south, described in the form of Deed of Easement, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137798, authorizing and directing Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, quitclaim deed quitclaiming to Gail R. Schwarz and Betty R. Schwarz, portion of unnamed 6.0 foot easement in Lot 51 Grove Heights Unit 2; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions to complete transaction, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that City of San Diego is desirous of acquiring easement for sewer, water, storm drain and public utilities over Lot 22 Moody's South Addition to Lemon Grove; the Schwarzs, owner of the land, are willing to deed to the City in exchange for quitclaim deed from the City of its interest in portion of Lot 51 Grove Heights Unit 2; value is each parcel is \$1.00; City Manager has recommended exchange.

RESOLUTION 137799, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, quitclaim deed quitclaiming to Bryan C. Clark, Jr. and Ruth Elizabeth Clark, portion of unnamed 4-foot easement in Lot 9 Don Terrace Unit 2; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions to complete transaction, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that City of San Diego is desirous of acquiring easements for sewer, water, drainage and public utilities over portion of land in Seminole Terrace, the Clarks, owners of property involved, are willing to deed land to the City in exchange for quitclaim deed from the City quitclaiming portion of Lot 9 Don Terrace Unit 2; value of each parcel is \$1.00; City Manager has recommended exchange.

RESOLUTION 137800, accepting quitclaim deed of Alef Homes, Inc., a corporation, Baze Homes, Inc., a corporation, and Gemmel Homes, Inc., a corporation, 639 Spreckels Building, San Diego 1, California, executing to City of San Diego (quitclaiming to), all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, located within or without subdivision named "Clairemont Unit 17 Annex", being portion of Pueblo Lots 1224 and 1226; authorizing and directing City Clerk to file deed together with certified copy of resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137801, accepting quitclaim deed of Cabrillo Village Development Co., a corporation, executed on 28th day of January, 1957, 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 Cabrillo Village Unit 1, being subdivision of portion of Lot 22 New Riverside; authorizing and directing City Clerk to file deed, together with certified copy of resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

In connection with the next ordinance, Fred Landgraf, attorney, said that there is an application for a subdivision map. He said that Mr. and Mrs. Hunt have a lot in excess of 19,000 sq. ft. He said that application (for a subdivision) had been denied by the Planning Commission. He said that adoption of proposed ordinance would deny right to a hearing by Planning. He spoke of having a legal right to the subdivision, with smaller properties.



2/14/57

He spoke of seeking to retain rights for a hearing. He said he was informed that hearing would be today on the subdivision, but that it has apparently been continued.

Alan Firestone, Deputy City Attorney, said that if the Council adopts as a matter of policy, it may feel that it would have to deny smaller lots.

Harry Haelsig, Planning Director, said that there would be a hearing, and that the item would come as a recommendation.

Councilman Burgener pointed out that the Council "has heard This", the same property.

Mr. Landgraf spoke to Councilman Burgener, and said that the Council could not deny the subdivision. He said that if the ordinance is passed, and application (for the subdivision) does not come in 30 days, it would be denied.

Councilman Curran discussed with Mr. Firestone the subdivision application. He said that it had been recommended to the neighbors that it be rezoned, in order to protect their property sizes. He said that the proposed subdividers would not be waiving their rights if adopt today.

Mr. Landgraf said "it has been R-1 for 25 or 30 years", and that rezoning could make substantial difference to his clients. He said that Planning originally recommended for the original planning.

Councilman Burgener said that the Council should hear from anyone here, on the subject.

Mr. Whitmore said that he represents the case of 1 family, and has for several years. He spoke of proposed subdividers wanting to make extra money. He said that hearing has been had on the subject, and of not having objected at the first hearing. He said that Mr. Landgraf's position is "that he does not trust the Council". He said that there are covenants on most of the lots that expire in 1960. He stated that property owners had been told by the Mayor that the way to protect the property is through upgrading.

Mr. Whitlock told the Council that he had circulated the petition for the rezoning "on views of about 90% of neighborhood". He said that application for zoning was way ahead of application for the subdivision.

Mr. Landgraf said that it is no sin to buy property, and want to subdivide. He said that his client had built on 1/2 of the property, and left 1/2 to be subdivided. He said that if deprived, there would be a house on 1 side, and that it would cast a shadow on rights if the ordinance is adopted. He stated that there is "no emergency on adoption of this ordinance".

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 passage written or printed copy.

ORDINANCE 7344 (New Series), incorporating all of La Jolla Country Club Heights Unit 1 Subdivision, all of La Jolla Country Club Heights Unit 2 Subdivision, all of La Jolla Country Club Estates, and all unsubdivided portions of Pueblo Lot 1263 into R-1C Zone, as defined by Section 101.0404 of San Diego Municipal Code, and repealing Ordinance 13294 insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

Ordinance deleting from the Master Plan of Public Buildings of The City of San Diego a "Site for Public Assembly Facilities" more particularly affecting area lying between Ash and Cedar Streets and between First and Third Avenues, and repealing Ordinance 6807 (New Series) insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Evenson, introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

2/14/57

Ordinance incorporating Lots 1, 2, 3, 4, 31, 32, 33 Metropolitan Center, portion of Lot 5 Alvarado Heights and portion of West Half of Reservoir Drive, vacated, in The City of San Diego, California, into C Zone as defined by Section 101.0411 of San Diego Municipal Code, and repealing Ordinance 13558 insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Burgener, introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Absent-Mayor Dail. Nays-None.

After introduction of the Ordinance, Norman Seltzer had a discussion with Harry Haelsig, Planning Director. Mr. Seltzer, an attorney, appeared at the hearing, in behalf of the rezoning.

Ordinance amending Article 1 Chapter X of San Diego Municipal Code by amending Sections 101.0408 and 101.0628 thereof, and by adding thereto a new section to be known as and numbered Section 101.0408.1, relating to zoning (no section is R-P zone "Residential-Professional"), was on motion of Councilman Curran, seconded by Councilman Evenson, introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Los Altos Manor, consisting of 51 lots located in Pacific Beach area, subject to posting of bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 137802, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Marion D. Elliott and Marjorie M. Elliott; Ernest A. Paul and Florence S. Paul; Earl A. Stranahan and Lela Stranahan and Paul A. Skinner and Lucile R. Skinner, for installation and completion of unfinished improvements and setting of monuments required for Los Altos Manor Subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137803, adopting map of Los Altos Manor Subdivision and accepting on behalf of the public Fanuel Street, portions of Foothill Boulevard, Loring Street, Opal Street and Everts Street, and easements shown for sewer, water, drainage and public utilities, together with any and all abutters rights of access in and to Fanuel Street adjacent and contiguous to Lots 10, 11, 41, 42; dedicating them to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that Council has approved the subdivision map and that street, portions of streets and easements, together with abutters rights, 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 Curran, adopted.

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned at 3:17 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Charles O'Dell*  
Mayor of The City of San Diego, California

Ords intr

Planning comm. - under U.C.

137802 - 137803      "      "

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, February 19, 1957

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

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

The Reverend William Erstad, Assistant to Saint Jude's parish, was presented by the Mayor. Father Erstad gave the invocation.

Ordinances and Resolutions for this meeting are recorded on Microfilm Roll 125.

Service Awards were made to the following employees, honoring their lengthy employment with the City of San Diego:

Helen M. Willig, Sr. Clerk, City Clerk's Office - 30 year pin, and scroll - presentation made by Councilman Schneider;

Verne A. Parker, Assistant Director of Public Works, in the Division of Administration - 25 years - presentation made by the Mayor, who gave a laudatory explanation of duties and activities, both past and present;

Thomas A. Martinez, Construction and Maintenance Man I in the Street Division, Public Works Department - 20 years; presentation made by Councilman Evenson;

George Middleton, Construction and Maintenance Man I, Street Division, Public Works Dept. - 20 years; presentation made by Councilman Kerrigan;

Robert S. Williams, Automotive Mechanic, Harbor Department - 20 years; presentation made by Councilman Curran.

Leroy G. Sewell, who was to have received an award, was not present. His will come at a later time.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, Minutes for 2 meetings of Thursday, February 14, 1957, were approved without reading - after which they were signed by the Mayor.

Report of Purchasing Agent on 1911 Act bids opened February 15, 1957, for improving Locust Street - 4 bids - was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, finding was made that bids had been opened as reported. By the same motion, it was referred to the City Manager and City Attorney.

Report of Purchasing Agent on 1911 Act bids opened February 15, 1957, for improving Bangor Street - 2 bids - was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, finding was made that bids had been opened as reported. By the same motion, it was referred to the City Manager and City Attorney.

Meeting convened  
Invocation  
Employee service awards  
Invocation  
1911 Act bid reports

2/19/57

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 137250, for paving and otherwise improving Amalfi Street; Torrey Pines Road, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Burgener, seconded by Councilman Schneider, proceedings were referred to 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 137251, for paving and otherwise improving 49th Street, Public Rights of Way in Block 2 Lot 164 Resubdivision Blocks 1 through 12 Fairmount, the Clerk reported written protest from Mrs. Mary S. Smith.

City Engineer A. K. Fogg, asked for a report, said that is not actually a protest, but request for information, which his office has answered. No one appeared to be heard; no protests were filed.

RESOLUTION 137804, overruling and denying protest of Mary S. Smith against improvement of 49th Street, et al., Resolution of Intention 137251; overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

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 137252, for installation of Sewer Mains and appurtenances in Soledad Road, the Clerk reported on protests.

The Mayor inquired if anyone was present to be heard.

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

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 136299, the Clerk reported written protest from William S. Putnam.

Asked for a report, the City Engineer said that there was a .5% protest, regarding change of grade.

Councilman Burgener looked at it.

The Mayor inquired if anyone was present to be heard.

Mr. Putnam said that he was "informed in the City Clerk's office that the ordinance establishing the grade (in 1938) was not posted". He contended that it is not a legal grade, when not posted. -He said "it is not legal to leave (his) property high and dry".

Councilman Burgener and Schneider spoke directly to Mr. Putnam, and then Councilman Schneider spoke to Alan Firestone, Deputy City Attorney.

Mr. Firestone said that "the problem is regarding use of the street; not the establishment of the grade". He said there may be some legality of 1938 grade; possibly the property owners could be entitled to damages regarding the grade.

Councilman Curran discussed the situation with Mr. Firestone.

The City Engineer said that "the present is presently above the established grade".

Councilman Evenson spoke to Mr. Firestone who replied "suppose the people who built to the established grade could claim damages".

Councilman Burgener asked the Attorney if he could have an opinion in a week.

Mr. Firestone replied "yes".

RESOLUTION 137805, continuing hearing on proposed improvement of 55th Street, et al., Resolution of Intention 136299 and Resolution 137253, until 10:00 o'clock A.M., Tuesday, February 26, 1957; requesting City Attorney to give a written legal opinion concerning grade on the work, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 137254 for improvement of Alley in Congress Heights, Beryl Street, and Public Rights of Way, 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 137806, determining that improvement of Alley in Congress Heights, et al, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 137255 for improvement of Alley Block 248 Pacific Beach, Lamont Street, Thomas Avenue, Public Right of Way in Lot 38 Block 248 Pacific Beach, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 137807, determining that improvement of Alley Block 248 Pacific Beach, et al, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

#### Councilman Williams entered the meeting

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 137256, for improvement of Alleys in Blocks 258 and 263 Pacific Beach, and portion of Bayard Street, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

Mrs. Robert E. Begley said she was objecting to the lowering of the grade (in Block 263), because she "could not enter".

The City Engineer exhibited a map showing the grade line, and said it would be "to established grade".

Mayor Dail asked Mrs. Begley to check details with the City Engineer.

The City Engineer said that what Mrs. Begley says does not check with the plans.

Mrs. Begley said she "wants the grade raised at the sides".

The City Engineer recommended continuance for 1 week.

Councilman Kerrigan pointed out that this hearing is on the feasibility, only.

Mrs. Alton K. Small, said her property is on the other side of

the alley, and she has the same problem.

RESOLUTION 137808, overruling and denying protests of Mrs. Robert E. Begley and Mrs. Alton K. Small, against proposed improvements of Alleys in Blocks 258 and 263 Pacific Beach and Bayard Street, under Resolution of Preliminary Determination 137256, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 137809, determining that improvement of Alleys in Blocks 258 and 263 Pacific Beach, et al., Resolution of Preliminary Determination 137256, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment; also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on furnishing electric energy in El Cajon Boulevard Lighting District 2 for 1 year from and including March 1, 1957, 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 137810, confirming and adopting as a whole Engineer's Report and Assessment for El Cajon Boulevard Lighting District 2, 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 furnishing electric energy in Talmadge Park Lighting District 2 for 1 year from and including March 1, 1957, 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 137811, confirming and adopting as a whole Engineer's Report and Assessment for Talmadge Park Lighting District 2, 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 energy in University Avenue Lighting District 2 for 1 year from and including March 1, 1957, 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 137812, confirming and adopting as a whole Engineer's Report and Assessment for University Avenue Lighting District 2, 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 2560 made to cover costs and expenses of paving and otherwise improving Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street, Missouri Street, the Clerk reported written appeals from Clair A. & Evelyn M. Sachs, L. A. White, Sessions Development Co., A. W. Silva, Dora Orlansky, Mrs. Virginia Williams, Mrs. Katie Shepardson, Evelyn L. Mansfield, Mrs. Wm. R. Smith.

The Mayor inquired if anyone was present to be heard. Mrs. Dora Orlansky stated that she could not assume another



bill - of \$2,038.98.

Mayor Dail said to Mrs. Orlansky that she would have 10 years to pay the assessment.

Mrs. Orlansky said that she "did protest".

Councilman Burgener stated that this proceeding was controversial.

Councilman Schneider told of Mrs. Orlansky's valuable property.

Members of the Council and Willard Olson, of the City Engineer's office, had a discussion.

The Mayor said that the improvement is in; this hearing is to determine if assessment is fair and equitable. He said that if it is not, property owners' protests can be sustained.

Councilman Burgener said to Mrs. Orlansky that the City cannot contribute to the cost; if the assessment were lowered, it would add to others.

Mrs. Lucille Lepper, Lots 7 and 8 Block 212, spoke.

Mr. Olson said that her property has an area assessment, for paving - plus drain.

Councilman Schneider made an explanation to Mrs. Lepper.

The City Engineer described for Mrs. Lepper what had been said in a conference.

Mrs. Lepper said that she did not pay as much on her own street.

Councilman ~~Schneider~~ Burgener said that the City went along with the wishes of a majority of the property owners; the proceeding was continued and continued; there were hearings in the neighborhood. He said that more than 1/2 of the property owners wanted the improvement. He pointed out that there had been City contribution to the project (for the storm drain).

Individual Councilmen held discussions with the appellants.

An unidentified woman protest on what was identified only as Lots 9 and 10.

A. W. Silva asked if letters were sent out on assessments.

Members of the Council held a discussion with Mr. Silva.

The City Engineer said that his office gives out estimates - on request.

Mayor Dail said that there are hearings held regarding the pending proceedings.

The City Engineer said that cost of the improvement was 5.2% over the estimate. Then, he explained the various notices given by the City.

The Clerk told where notice had been mailed (on the Silva assessment).

Mrs. Fahey said that after assessments were paid, another assessment was sent - W 40 ft Lot 2 Blk 240. She asked why her property was assessed. She looked at a map with members of the Council.

Milton Sessions appeared, and read his appeal.

Mayor Dail asked the City Engineer if all was not understood.

The City Engineer said that "this is a peculiar one". He explained from a map which he showed. He said that Mr. Sessions has subdivided, and makes claims in connection with that. He said he had checked with Mr. DuPaul (J. F. DuPaul, City Attorney).

Mr. Sessions said that he took the time to check with a Deputy City Attorney. He said that the 1911 Street Improvement Act does not say what he was informed. He said his point is covered in the law. He said "sure, the 1/2 block is in there". He said it was mentioned, without contest, that if property were subdivided, it would be the same as across the street. Mr. Sessions said he had been told that as a matter of fact, by Mr. Olson. He discussed with Mr. Olson the measurement of 1/2 block, and the 1/2-way point.

Mr. Olson discussed with Mr. Sessions about assessment on portion, to which he point on a map.

Mayor Dail said that this has "been done according to law". Mr. Sessions spoke of there being no connection with Noyes Street. He said that what purposes to be a street, has been declared to be unsuitable for a street. He identified it as Chalcedony, easterly of Noyes.

Mr. Olson stated to say that "in filing the subdivision map..." (but did not complete the statement. He said that people at the hearings knew of no subdivision map. He said that Mr. Sessions dedicated Academy Place, and assessment could not be levied on that.

Mr. Munchas, owner of portion of Acre Lot 51, reviewed previous statement of Councilman Schneider. He said there is no assessment on portion that would be used; it is the same.

Councilman Curran had a discussion with Mr. Sessions regarding property he pointed out on a map. They had a discussion.

Mr. Sessions said that the Council's interest is in equity and fairness; if assessment roll is examined, it will be found that there is \$1,100 assessment, in addition to what had already been paid. He said he "has paid for the outfall".

Mayor Dail said that this should be continued 1 week, and referred to Conference.

The City Engineer read Section 5321 from the 1911 Act, and said that it is the intent of the law to spread the assessment back 1/2 block.

Councilman Kerrigan said that the problem is because of the new subdivision, and said that it is going to require an opinion.

William Starke, attorney representing the contractor and the assignee, was heard. He spoke of having been on this job practically 1 year. He said work has been done; protests have been overruled. He said that a new subdivision cannot be placed on the property, and be changed.

Mayor Dail said he thinks it would be justified to hold this up.

George Klug spoke in connection with Lot (Acre Lot) 51, and said that property should not be liable.

Others came to the microphone, and indicated that they were in the same situation.

RESOLUTION 137813, continuing hearing on Assessment 2560 made to cover costs and expenses of paving and otherwise improving Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street, and Missouri Street, under Resolution of Intention 129454, to 10:00 o'clock A.M., Tuesday, February 26, 1957; referring matter of the assessment hearing to Conference, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2561 made to cover grading and sidewalking on Grape Street, with Sultana and 54th Streets, the Clerk reported written appeal from Leo K. Bates, Jr., 2012 Sultana.

The Mayor inquired if anyone was present to be heard.

Leo K. Bates, Jr. said his complaint is about the drainage, because of the sidewalks.

The Mayor said that subject should be referred to the City Manager.

Mr. Bates said that someone came out, and told him that it was up to him to make repairs.

The City Engineer said that there was a wall that had to be cut back. He said "the sidewalk is a foot inside the property line".

Councilman Williams had a discussion with Mr. Bates. Mr. Bates said that the driveway existed.

The City Engineer told of having followed the curbs that were there.

Councilman Burgener said that the Engineer should meet with the property owner on the job.

Mayor Dail said that does not affect the assessment.

RESOLUTION 137814, overruling and denying appeal of Leo K. Bates, Jr., from Street Superintendent's Assessment 2561 made to cover costs and expenses of work of installing sidewalks on Grape Street, Sultana Street and 54th Street, Resolution of Intention 129188; overruling and denying all other appeals; approving Street Superintendent's Assessment 2561; 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.

RESOLUTION 137815, referring to City Manager for report, appeal of Leo K. Bates, Jr., Document 548032, in connection with drainage problem in connection with installation of sidewalks on Sultana Street, 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 2562 for paving and otherwise improving Opal Street, the Clerk reported appeal from Clara Francis.

Asked for a report, the City Engineer said it was a 3.8% assessment - because it is too high.

RESOLUTION 137816, overruling and denying appeal of Clara Francis against Street Superintendent's Assessment 2562 made to cover costs and expenses of paving and otherwise improving Opal Street, Resolution of Intention 133055; confirming and approving the Assessment; authorizing and directing Street Superintendent to attach his warrant thereto and issue it in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on appeal of Town & Country Development, Inc. from decision of the City Planning Commission in denying Conditional Use Permit, Case 941, to build and operate service station as part of the hotel development, in Mission Valley, Councilman Williams said that he wants, again, to look at the plan. He said the Council had been informed by Mr. Brown (Charles H. Brown, president) that the station would be behind the grade.

Mr. Brown said that it would be approximately 25 feet to the bed of the main highway. He said that the job (for highway construction) would be going out for bid in May.

Councilman Schneider asked if there would be damage on account of waiting.

Mr. Brown's reply was "yes".

Mr. Kerrigan asked Mr. Brown if the station was to serve the guests (of the hotel), and the public.

Mr. Brown replied that it would be "to serve the neighborhood". He told of plans for the highway having been changed. He said that station had to be moved; 1 acre was given across the front; 1.13 acres were purchased by the State; the development agreed not to use 4 acres.

Councilman Williams said that it is just reserved; it might be purchased later by the City. He said that this is a question if this is going to be a pattern for use in the valley, along service roads.

Alan Firestone, Deputy City Attorney, said that the conditional use permit had not been granted (by the Planning Commission).

Mr. Brown stated that he had been instructed to apply for a conditional use permit. He said there must be 5 acres for development, and that would control service stations. Answering a question, Mr. Brown said that there would be 4 pumps, and a "lub" rack.

RESOLUTION 137817, directing City Attorney to prepare and present Resolution in connection with permitting Town & Country Development Inc. to operate service station on its property, in connection with appeal from denial of conditional use permit case No. 941, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

2/19/57

Report of Purchasing Agent, approved by City Manager, on co-low tie bidder of Acme Pipe Co. for furnishing Items 1, 8 and 9 of Asbestos Cement Pipe; (\$18,785.94 terms net, plus tax, total) - co-low tie bidder of Webb Bros. for furnishing Items 2, and sole bidder for furnishing Items 3, 4, 5, 7, 13, 14, 15, 16 of Asbestos Cement Pipe; (\$13,597.69 terms net, plus tax, total) - co-low tie bidder of Crane Co. for furnishing Item 2-A; (\$9,480.00 terms net, plus tax - was presented. It says that awards were determined by drawing lots. There were 25 items; 3 bids.

RESOLUTION 137818, accepting bid of Acme Pipe Co. for furnishing Asbestos Cement Pipe; awarding contract, authorizing and directing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137819, accepting bid of Webb Bros. for furnishing Asbestos Cement Pipe; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of the City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137820, accepting bid of Crane Co. for furnishing Asbestos Cement Pipe; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Martinolich Shipbuilding Co. for Remodeling the City Council Chambers - \$48,443.00; 5 bids - was presented. It reports the estimated cost as \$35,000.00.

RESOLUTION 137821, accepting bid of Martinolich Shipbuilding Co. for remodeling City Council Chambers for The City of San Diego; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego; contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, seconded.

Report of Purchasing Agent on request of Director of Financial Services for furnishing rental of I.B.M. equipment, was presented. It says that recently-adjusted rental prices become effective March 1, 1957, and decision has been reached to issue formal purchase orders for rental of the equipment.

RESOLUTION 137822, authorizing Financial Services; Police Department; Civil Service Department to continue in use the accounting systems presently employed requiring rental of I.B.M. accounting machines; authorizing them to rent from the International Business Machines Corporation such machines as may be required at rental rates established and published by International Business Machines Corporation, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 137823, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for improvement of Belmont Park, Mission Beach (including construction of sewer main, sewer sprinkler system, paving etc), Document 548248; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

2/19/57

RESOLUTION 137824, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signal and safety lighting systems at intersections of 16th Street and G Street; traffic signal interconnect system on G Street from 12th Avenue to 16th Street; Document 548248; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

There were listed on the agenda 2 resolutions relative to final map of Emerald Hills Estates: 1 authorizing City Manager to execute contract with Bollenbacher & Kelton, Inc. for completion of improvements; 1 approving final map subject to posting of bond in amount sufficient to insure installation of required improvements.

Councilman Curran said that he had a question.

Mayor Dail said that he was interested in knowing if there are connecting streets.

Mr. Haelsig showed members of the Council a map, which he explained.

There was discussion over the map, which Harry Haelsig explained to Councilmen.

On motion of Councilman Curran, seconded by Councilman Schneider, the item was continued to Thursday of this week.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Rancho Cabrillo Unit 3 Annex, consisting of 6 lots located in Rancho Cabrillo area, Kearny Mesa, subject to posting of bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 137825, adopting Map of Rancho Cabrillo Unit 3 Annex Subdivision, being resubdivision of Lots 238, 239, 240, 241 Rancho Cabrillo Unit 3; accepting on behalf of the public Onalaska Avenue, and easements shown for sewer, water, drainage and public utilities, for public purposes; declaring them to be public street and easements dedicated to public use; rejecting as dedication for public street portions shown as "Reserved for Future Street"; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that the Council has approved the subdivision map, and that public street and easements are accepted on behalf of the public; and that Council rejects as dedication for public street portions marked "Reserved for Future Street"; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Record of Survey for Resub of Lots 4, 5, 6, portions Lots 7, 8 & 9 Block 122 Middletown & portion Columbia Street (closed, between Redwood and Spruce on westerly extension of Columbia Street closed, was presented.

RESOLUTION 137826, approving filing of Record of Survey Map of Lots 4, 5, 6, portions Lots 7, 8, 9 Block 122 Middletown, and portion of Columbia Street closed, in lieu of Final Subdivision Map pursuant to provisions of 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 Richard L. Weiser,



2/19/57

recommending approval of tentative map for 2-lot subdivision of portion of Lot 18 Rancho Ex-Mission, located on southerly side of Federal Boulevard, westerly of 47th Street, northerly of and adjacent to new freeway, State Highway 94, subject to 10 conditions, and suspension of portion of the Municipal Code, was presented. It reports that Lot 1, shown on the tentative map, is proposed site of KFSD-TV studio, for which Conditional Use Permit has been approved, subject to filing of this subdivision map.

RESOLUTION 137827, approving tentative map of KFSD Radio-TV Station, a 2-lot subdivision of portion of Lot 18 Rancho Ex-Mission; suspending portion of the Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

There was listed on the calendar communication from Planning Commission submitting resolution approving tentative map of Mission Valley Ball Park, a 2-lot subdivision of Lots 3 and 4, and portion Lot 5 E. W. Morse's Subdivision and portions of Pueblo Lots 1105 and 1174. Resolutions, as recommended, were adopted on motion of Councilman Williams, seconded by Councilman Schneider.

Action was reconsidered when James F. Mulvaney, vice president of the Padre Exhibition Co. came to the microphone and voiced objection regarding easement for flood channel. He said that if the property is encumbered, it will lessen chances of borrowing money. He asked the Council to dispense with the easement. He said that developers "want to put nothing there".

Mayor Dail asked if agreement were made about no buildings being placed, it would be binding.

Alan Firestone, Deputy City Attorney replied that it would be "complex".

Harry Haelsig, Planning Director, said that it had been discussed from the beginning; the former attorney had no objections. He pointed out that at some later date there could be severe severance damages. He stated that when the flood channel goes in it will make more parking area.

Mr. Mulvaney said there is no objection to the flood channel; they are not going to build on it. He said that parking could be worked out despite flood control channel.

Mayor Dail asked how long that would be.

Mr. Haelsig replied that he "can't tell". He spoke of an 880-foot right of way. He said it appears to be feasible, regarding economics.

Mr. Firestone said that reservation for future would not prohibit its use. He said a parking lot could be put in, but it would put a cloud on the fee.

Mr. Mulvaney said that the owners would be willing to stipulate that nothing would be done to increase the cost to the City.

Councilman Kerrigan asked if that could be covered through set-back restrictions.

Mayor Dail said this could be continued until Thursday; the matter could be discussed with Mr. Firestone.

On motion of Councilman Williams, seconded by Councilman Schneider, the subject was continued to Thursday of this week.

Communication from Planning Commission, by Richard L. Weiser, recommending denial of tentative map of Paradise Hills Unit 2 Resubdivision of Lots 5 & 6 Block 42, was presented. It says that after maintaining a 35-foot setback from Reo Drive and a 5-foot side yard, the lot would have a buildable width of 22½ feet, and would not be considered to be an adequate building site.

RESOLUTION 137828, denying tentative map for resubdivision of Lots 5 and 6 Block 42 Paradise Hills Unit 2, located at northwesterly corner



of Roanoke Street and Reo Drive, in Paradise Hills, in that it does not conform to development of the area and the Municipal Code, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending denial of tentative map of Romero Heights, a resubdivision of Lot 6 Block C La Jolla Country Club Heights into 2 lots, located on westerly side of Romero Drive between Brodiaea Way and Romero Court, was presented - out of order at this point, to accommodate Fred Landgraf, attorney.

Mr. Landgraf reviewed the request for a tentative map. He said that the Hunts made similar application some 2 years ago, and that they "have the valid, legal right to approval of the subdivision". He showed a map of the subdivision, which he explained. Mr. Landgraf explained that each frontage would be in excess of 96 feet, and the Hunts had purchased the property with the understanding that they would have the right to subdivide. He told of there having built their (present) house with that in mind. He showed a map of other properties with less than 10,000 sq. ft. area. He said that 4 lots across the street are less than 9,000 sq. ft. Mr. Landgraf continued showing various maps, which he explained. He said that lots in the area vary in size and frontage. Mr. Landgraf repeated that "the Hunts have the legal right, under the facts, to subdivide". He declared that parcels would be larger, with more frontage, than 4 other lots.

Mayor Dail said he felt it would be unfair to rush this thing.

As a result of the Mayor's observation, the item was held until 2:00 o'clock P.M., this date.

The subject will be found, later, in these minutes.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Tentative Map of Point Loma Medical Tract, a 1-lot subdivision of portion of Pueblo Lot 221, located southerly of Midway Drive, southeasterly of Bayview Drive-in Theatre and terminus of Kemper Street, was presented. He recommends that access road be widened to 60 feet with 36 feet of paving with curbs and sidewalks. It makes the approval subject to 11 conditions, and suspension of portion of the Municipal Code.

Councilman Williams asked for the location of the property (which had not then been stated). Mr. Weiser explained it.

RESOLUTION 137829, approving tentative map of Point Loma Medical Tract; suspending portion of Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

The next item was taken up at this time, out of order.

There was listed on the agenda communication from National Association for Advancement of Colored People, requesting permission to make a presentation of "an item of interest to the Council" at this meeting. It came about as result of communication from the Association, signed by J. Edward Lee, M.D., president, Katherine Tracy, secretary.

The Mayor recognized Jim Curray. He said that brotherhood week is being observed this week. He had copies of an ordinance to provide for equal opportunities of employment - which he read, and filed a copy. He said he was requesting the Council to set up steps to adopt a similar ordinance.

Several individuals spoke along the same lines, saying that there should not be activities in opposition to employment of colored persons. Dennis Allen said that no reduction is given because of race and color. Mr. Allen asked for favorable consideration.

RESOLUTION 137830, referring to Council Conference the matter of "San Diego Equal Employment Opportunities Ordinance" presented by San Diego Branch National Association for Advance of Colored People, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communications - planning,  
etc.

Discussion  
137829 - 137830

The next item was taken up at this time, out of order.  
Ordinance adopting Public Building Plan establishing site for Civic Theatre as part of the Master Plan of The City of San Diego, particularly affecting area lying adjacent to easterly line of Park Boulevard between Morley Drive and Laurel Street (in Balboa Park, was introduced, on motion of Councilman Burgener, seconded by Councilman Curran, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

At 12:02 o'clock P.M., the Mayor declared a recess until 2:00 o'clock P.M. this date.

Mayor Dail called the meeting to order at 2:03 o'clock P.M.  
The roll call showed the following:  
Present-Councilmen Burgener, Kerrigan, Curran, Evenson, Mayor Dail  
Absent--Councilmen Williams, Schneider  
Clerk---Fred W. Sick

The Council resumed the hearing which had been held from the morning meeting, relative to subdivision of land in La Jolla Country Club Heights - to be known as Romero Heights.

Mr. Landgraf told of having provided maps, showing the building sites. He said there is provision for record of survey map (in the San Diego Municipal Code). He read it.

Councilman Williams entered.

Mr. Landgraf said that lots sizes "conform"; all improvements are in. He said it need only be found that all requirements are fulfilled. He said that Section 101.0405 (of the Code) refers to R-1 zone being not less than 5,000 sq. ft., and street frontage. It is R-1 zone, Mr. Landgraf said. He said, again, that the owners have a legal right to divide into 2 lots. He said that the Council should "follow the ordinance". He told of having recommended to Mrs. Hunt that re-application be made for division of the property, and there is a "clear right".

The Planning Commission's communication was read.

Mr. Whitlock said to the Council that he had been here before, on the same thing. He spoke of deed restriction providing for not more than 1 house. He said that better than 90% have repeated their desire to keep the property on a high grade, and not subdivide. He said that "only 16% of all the lots in the area are smaller than 10,000 sq. ft. He stated that the Planning Commission has said there would be 2 entrances, on a 12% grade. He asked "if this is granted, what will prevent others from coming in (for the same)?"

Mr. Whitmore, representing Mrs. Parker, owner of Lot 7 Block 7, said he was speaking as an owner, and representative of an owner. He asked if there was any change (from the last attempt), and answered his own question by saying "no". He checked the map, Mr. Whitmore said, and told the Council that the dividing line had been moved 3.60 feet. He spoke of the almost unanimous request for up-grading. He told of having maps of opposition. He identified lot as being in Block C, and said 100% of Blocks C, F, E are signing against the division; 2 are neutral. He said that this is the Hunts against unanimous opposition. He objected to a Landgraf map, and explained further from another map. He stated that General Miller says Lot is closer to 11,000 sq. ft. (Lot 9).

Mr. Landraf disagreed by saying "10,700".

Mr. Whitmore said that 2 and 3 were combined with 4; there are 2 houses on 3 lots; all are on sharp hillside, with lots of canyons.

Ord introduced

Recess taken - meeting reconvened

Hearing - resumed

He submitted photos of houses across the street, and said that topography of the land has to control. He said "frontage and area have to be looked at together". Mr. Whitmore said it does not conform to other lots. He showed photos of a curve. He said that "Mrs. Parker would be looking out on a warehouse wall". He referred to the restrictive covenant, which had been mentioned. He said that Lot C is not less than 10,000 square feet. some are 11,000; average is 17,000. He said that property does not lend itself to a building site.

Councilman Burgener moved to close the hearing.

Mr. Landgraf referred to the Ordinance again, regarding lot sizes and existing building size; not topography. He said that across the street 1 lot is a little over 7,000 feet in size. He said this would be in conformity to a pattern, and there is a legal right. He said reference is to existing building sites in the vicinity; it can't conform to biggest or smallest; might have to conform to the smallest. He said that state=ments by counsel (opposition) are irrelevant. He said that "finding is inconsistent with facts".

Councilman Burgener moved to close the hearing. Motion was seconded by Councilman Williams.

Councilman Burgener changed the motion to deny the subdivision, and adopt the resolution.

Councilman Burgener told Mr. Landgraf that his clients had taken a calculated risk.

Councilman Williams seconded the new motion.

Councilman asked what the position of the Council would be in court.

Councilman Williams said that it is subject to interpretation regarding other areas affected. He said this can be taken to court, if property owners wish to do so.

Councilman Kerrigan discussed with the Planning Director the ordinance on lot sizes.

Councilman Williams asked if it had been attacked in a court suit.

Mr. Haelsig replied "no, sir".

Councilman Williams said that the topography does enter into his thinking - including being on a turn.

Councilman Curran said that the City Attorney should be asked about the point of law.

Mr. Firestone said that there is a finding that would have to be made by the Council; it is "just a factual question".

Mr. Landgraf agreed with Mr. Firestone's statement. He asked what facts are considered. He said "Councilman Williams brought up a requirement which is not in the ordinance".

Mr. Firestone pointed out that there is a misconception about R-1. He said that R-1 establishes certain use conditions; it provides "minimum, not maximum (lot) sizes". He stated that size, alone, is not the determining factor. He said it should be remembered that a minimum - not a maximum - is specified.

Mr. Landgraf continued conversation directly with Mr. Firestone.

Councilman Williams and Mr. Landgraf held a discussion.

The Mayor said that Mr. Firestone does not agree with Mr. Landgraf.

Councilman Curran said the "hearing has been closed", and wondered how that could be changed by asking questions.

Mr. Firestone said that the question is a finding regarding conformance to surrounding facts. He said "there are several factors".

Councilman Evenson asked how many hill lots have been subdivided.

Richard Weiser showed the property on a map, which he explained to the Council.

The roll called on the motion, resulted in

RESOLUTION 137831, denying tentative map for division of Lot 6

2/19/57

Block C La Jolla Country Club, ROMERO HEIGHTS, located on westerly side of Romero Drive between Brodiaea Way and Romero Court, in that it does not conform to the development of the area; also that division is not in the best interest of the public, safety wise, was adopted.

Copy of communication from Frank Luckel, member of the Assembly, Seventy-Eighth District, of the State of California Legislature, dated 13 February 1957, addressed to Joseph A. Schefler, was presented. It acknowledges copy of the Schefler letter addressed to him, dated February 7, and speaks bills in the legislature regarding having hearings before the Council, etc.

The Assemblyman's letter was read to the Council by the Clerk (The Council was aware of the Schefler letter, since the subject has been before the Council).

Mayor Dail said that the Council had never denied Mr. Schefler a hearing; the Clerk should notify Assemblyman Luckel and Mr. Schefler.

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

Postal Card from Mrs. H. A. Hastain, 3521 Rurera Dr., favoring improvement of Kate Sessions Park, was presented.

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

Communication from Public Utilities Commission, State of California, dated February 11, 1957, by R. J. Pajalich, secretary, was presented. It encloses copy of Application 38800 filed by the State Department of Public Works for authority to construct grade separation, 5 grade crossings and to alter existing grade crossing, various existing protection and to abandon portion of grade crossing involving improvement project of U.S. 101 at various intersections with track of A.T.&S.F. Ry. Co. in San Diego, referred to as "Washington Street Overhead", was presented. It says that purpose is to provide copy of application and advise Council that there is now a proceeding before the Commission.

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

Communication from Rotary Club of Pacific Beach, dated February 12, 1956, by Sterling Rountwaite, secretary, was presented. It favors improvement of Kate O. Sessions Memorial Park.

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

Communication from George A. Scott, dated February 14, 1957, relative to having concluded the period of service properly prescribed on the Mission Bay Park Commission, and thanking the City for "this added opportunity of community service" was presented. In addition to other statements, it says "I shall miss serving with such able associates on your Mission Bay Park Commission".

Councilman Kerrigan moved to file the communication.

Councilman Williams said that there should be a testimonial luncheon.

On motion of Councilman Kerrigan, seconded by Councilman Williams, it was referred to the Mayor for a proper resolution.

Communication from Mona Williams, 3652 Columbia Street, expressing opposition to proposed Civic Theatre in Balboa Park, was presented.

RESOLUTION 137832, referring to Council Conference communication from Mona Williams opposing Civic Theatre in Balboa Park, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION OF AWARD 137833, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract, for paving and otherwise improving Alleys in Blocks 127 and 134 City Heights, Redwood Street, Resolution of Intention 135858, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

City Engineer reported that low bid is 11.2% above estimate; 90% of frontage replied to postcard survey, of which 50.5% of frontage requested the job be awarded.

RESOLUTION OF AWARD 137834, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving Cabrillo Avenue, Pearl Street, Rhoda Drive, Resolution of Intention 136515, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

City Engineer reported that low bid is 5.4% above the estimate.

RESOLUTION OF AWARD 137835, accepting bid of Griffith Company, a corporation, and awarding contract, for paving and otherwise improving Emerald Street, Resolution of Intention 136516, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

City Engineer reported that low bid is 3.3% above estimate.

RESOLUTION OF AWARD 137836, accepting bid of V. R. Dennis Construction Co., and awarding contract, for paving and otherwise improving Maple Street, Vancouver Avenue, Haller Street, Resolution of Intention 136518, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

City Engineer reported that low bid is 5.9% above estimate.

RESOLUTION OF INTENTION 137837, for paving and otherwise improving Crown Point Drive, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137838, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 15 Center Addition to La Jolla Park; approving Plat 2925 showing exterior boundaries of district to be included showing 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 Curran, adopted.

RESOLUTION 137839, approving plans, drawings, typical cross-

2/19/57

sections for street lighting system in Gerard Avenue, under Documents 493342 and 547974; approving Plat 2929 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137840, approving plans, drawings, typical cross-sections for sewers in Pardee Street, "K" Street, Alley Block 4 G. H. Crippen's Addition, and Public Rights of Way, Documents 493342 and 547974; approving Plat 2926 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 Curran, adopted.

RESOLUTION OF INTENTION 137841, for paving and otherwise improving Melrose Place, Public Rights of Way in Lots 24 & 25 Block 15 Beverly, Roswell Street, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 137842, for paving and otherwise improving Nashville Street, La Salle Street, Western Street, Lapwai Street and Jupiter Street, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 137843, for paving and otherwise improving Alley Block 15 Center Addition to La Jolla Park, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 137844, for lighting system in Girard Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 137845, for sewers in Pardee Street, "K" Street, Alley Block 4 G. H. Crippen's Addition, and Public Rights of Way, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 137846, approving diagram of property affected or benefited by work of improvement on installation of sewers in El Cajon Boulevard, Pearson Drive, Rolando Boulevard, Campo Drive, Alleys in Metropolitan Center, and Public Rights of Way, Resolution of Intention 131890; 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 137847, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving



Frankfort Street, and Alleys in Block 3 Corella Tract, Resolution of Intention 133815; 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 137848, approving diagram of property affected or benefited by work of paving and otherwise improving Nogal Street, Resolution of Intention 134263, and to be assessed to pay expenses thereof, made by City Engineer; directing Clerk of the City at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 137849, directing City Engineer to furnish diagram of property affected and benefited by work and improvement of paving and otherwise improving Alley Block 66 City Heights, Resolution of Intention 134261 and to be assessed to pay expenses, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

The next item had been continued to this meeting from February 14, 1957.

RESOLUTION 137850, authorizing and directing Property Supervisor to advertise for at least 5 consecutive days in official newspaper of the City, sale at public auction of Lots 1 to 20 inclusive Block 308 Pacific Beach, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Resolution says that Nita T. Button, P.O. Box 113 Solana Beach, California, has petitioned the Council to put the property up for sale and has deposited with Property Supervisor \$200.00 to cover all costs, including title report, and as guaranty that depositor will at sale bid minimum fixed by the Council for the property (the minimum amount is not set out in the resolution); City Manager has filed communication recommending that the lots be sold. It says that value of the real property, disclosed by appraisal made by qualified real estate appraiser is \$45,000.00, and that Council reserves right to reject any and all bids at the public auction; all expenses in connection with the sale shall be deducted from proceeds.

RESOLUTION 137851, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted: North side of El Cajon Boulevard between 37th and McClintock Streets; establishing parking meter zones; directing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137852, authorizing City Manager to accept work and improvements required to be done in Clairemont Manor Unit 1, Document 6460964, and execute Notice of Completion and have it recorded, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137853, authorizing and empowering City Manager to

to do all work in connection with installation of water main in Carrizo Drive, from Country Club Drive to east terminus, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137854, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with C. Ed Shuetz and Doris Schuetz, Leonard E. Zink, Betta E. Zink and Razell C. Tyler and Ann M. Tyler, called subdivider, subdivider of Schuetz Soledad Gardens, calling for installation of mains and appurtenances larger than necessary for the subdivision, but required by the City, and for reimbursement by City to subdivider of \$783.80, covering difference in cost between mains and appurtenances required by City to be installed and those necessary for the subdivision, upon execution and delivery to the City of quitclaim deed conveying to the City all right, title and interest of the subdivider in and to the water distribution system, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137855, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with United States of America in connection with transfer and dedication to the City of approximately 7-1/2 miles of Sanitary Interceptor Sewer System within War Housing Project identified as Project CAL-4092 in area of City known as "Linda Vista", under Document 548537, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137856, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against strip of land 30.0 feet wide in portion of Parcel "O" Lot 19 Rancho Ex Mission of San Diego, excepting a portion, 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 the property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137857, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against strip of land 30.0 feet wide in portion of Parcel "O" Lot 19 Rancho Ex Mission of San Diego, excepting a portion, 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 the property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137858, 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 9 Block 3 Silver Terrace, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of the property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure

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

RESOLUTION 137859, 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 16 and 17 Soledad Terrace, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of the property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137860, approving request of V. C. Moffitt & Co., February 1, 1957, change order 1, for extension of 30 days to and including March 22, 1957, filed as Document 548312, in which to complete contract for Colina del Sol Park, contract Document 542249; extending time of completion to March 22, 1957; was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 137861, granting application of The Epileptic Foundation to sell flowers on public streets, May 18, 1957, for raising funds for building of Epileptic Foundation in areas specified, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

There was listed on the calendar resolution granting application of Hearing Handicapped Children's Assn. to sell flowers and ties on the public streets for "Dollars for Deaf Children Drive" from July 16 through August 10, 1957, in various districts, etc.

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

RESOLUTION 137562, authorizing refund of \$210.00 in connection with connection fee in sum of \$212.50 on Lot 40 Piedmont Extension; authorizing City Auditor and Comptroller to pay John Farle \$210.00, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137863, authorizing and directing City Auditor to draw warrant in favor of Musician's Club of San Diego in sum of \$14.60 as refund for overpayment made under contract between the City-County Band and Orchestra Commission, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137864, authorizing 3 representatives of Park and Recreation Department to attend 9th Annual California Recreation Conference to be held in Sacramento, California, February 24 through 27, 1957, and incur all necessary expenses, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137865, approving claim of William M. Eisenbarth, Document 547257, in amount of \$18.00; authorizing City Auditor & Comptroller to draw warrant in favor of William M. Eisenbarth, 1777 Morena Boulevard, San Diego 10, in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137866, approving claim of Henry Meyer, Document 547542, in amount of \$710.68; authorizing City Auditor & Comptroller to draw warrant in Favor of Henry Meyer, 2545 Camino Del Rio-West, San Diego, in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137867, approving claim of Mrs. J. Sotiros, Document 547710, in amount of \$27.75; authorizing City Auditor & Comptroller to draw warrant in favor of Mrs. J. Sotiros, 4862 Lucille Place, San Diego, in full payment of the claim, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137868, denying claim of Christine A. Emery, 3819 Albatross Street, San Diego 3, Document 547689, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137869, denying claim of Dan P. Harmer, 3777 Dwight Street, San Diego 5, Document 547489, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137870, denying claim of Lawrence L. Lewis, 4030 Sunset Road, San Diego 3, Document 545854, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137871, denying claim of Orville R. Peterson, 4071 Third Avenue, San Diego, Document 547258, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137872, denying claim of Floyd F. Roop, 6671 Delfern Street, Document 547277, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137873, denying claim of Robert Stewart, 5199 Kearny Villa Road, Document 546233, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137874, accepting quitclaim deed of Bowlero of Southern California, Inc., a corporation, 1041 North Formosa Hollywood, California, executed 4th day of February, 1957, quitclaiming all water mains and appurtenant structures constructed for its use, in public streets,

rights of way, highways and public places, either within or without, subdivision named "Bowlero"; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of County Recorder, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 137875, accepting quitclaim deed of C. Ed Schuetz and Doris Schuetz, Leonard E. Zink and Betta E. Zink, Razell C. Tyler and Ann M. Tyler, quitclaiming to The City all water mains and appurtenant structures constructed for its use, in public streets, rights of way, highways and public places, either within or without subdivision named Schuetz Soledad Gardens; authorizing and directing City Clerk to file deed together with certified copy of resolution for record in office of County Recorder, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 137876, accepting quitclaim deed of Jewel R. Sysak, 3026 Sixth Avenue, San Diego, executed on 30th day of January, 1957, quitclaiming to The City all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named La Jolla Hermosa Heights; 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 Burgener, adopted.

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 adoption was dispensed with by not less than 4 votes 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 7345 (New Series), appropriating \$56,500.00 out of Capital Outlay Fund for remodeling the City Council Chambers, was on motion of Councilman Williams, 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 Burgener, seconded by Councilman Williams, ~~reading-~~ the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Williams, reading in full prior to adoption was dispensed with by not less than 4 votes 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 7346 (New Series), an interim ordinance establishing regulations governing use of land in portion of Lot 17 Rancho Mission 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.

It is an emergency ordinance, effective from and after its passage - covering property annexed to the City of San Diego as "Demers Tract Annexation".

At this point there was listed ordinance amending master plan of the City to provide for construction of Civic Theatre in Balboa Park. It had been acted upon, out of order.

The Mayor, referring to the ordinance on the Civic Theatre, said that the subject has been referred to Conference.

Councilman Curran added that it was for "conference today; the dead-line is on Thursday".

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

RESOLUTION 137877, authorizing O. W. Campbell, City Manager, to go to Washington, D.C. February 19, 1957, in connection with selection of site for municipal airport, and incur all necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

RESOLUTION 137878, authorizing Philip Acker, Assistant to the Mayor, to go to Washington, D.C., February 17, 1957, in connection with selection of site for municipal airport, and to incur all necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

RESOLUTION 137879, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with Rees-Stealy Medical Clinic, a co-partnership, for services in connection with applicants to and members of the Fire Department, for 1 year, and fee of \$400.00 per month, under Document 548555, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

Mr. Kerrigan spoke of a 1911 Act, south of El Cajon Boulevard, on 56th Street. He said that "it should be continued to El Cajon Boulevard, at City expense - concurrently with the same job". He said that it would be 40 feet, instead of 30 feet.

The City Manager said that it will have to be done some time.

Councilman Kerrigan said that school opens in September.

The City Manager asked that the subject be referred to him.

E. W. Blom, Asst. City Manager said that this is advisable.

RESOLUTION 137880, requesting the City Attorney to prepare and present a resolution having to do with widening of 56th Street, to 40 feet, to continue to El Cajon Boulevard, at City expense - concurrently with the 1911 Act job, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

The following items were returned by Council Secretary, from Council Conference - and were filed by the Clerk:

Communication from Ralph D. Lochner, re auditorium site - Document 547081;

Communication from San Diego Tax Payers' Association, suggesting combining Civic Theatre, etc. - Document 547080;



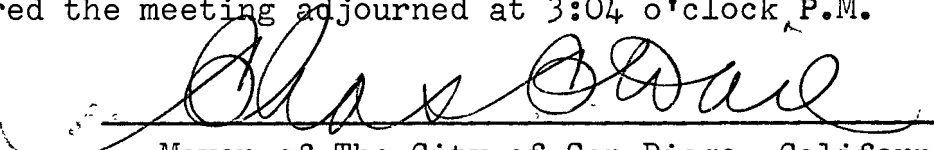
Also returned from Conference, and filed by the Clerk were:

San Diego Junior Chamber of Commerce relative to proposed bond issue for civic theatre in Balboa Park - Document 546923;  
Petition of residents for voting out Cedar Street location from Master plan for civic auditorium, and designating site in Balboa Park; including letter from W. A. Scroggs - Document 546883.

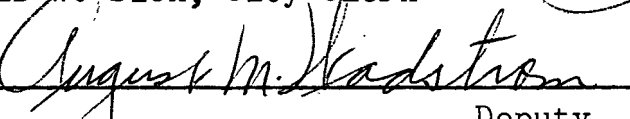
There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 3:04 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

  
Mayor of The City of San Diego, California

By

  
Deputy

## REGULAR MEETING

Chamber of The City of San Diego, California,  
Thursday, February 21, 1957

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

Ordinances and Resolutions for this meeting are recorded on Microfilm Roll 125.

The next item was taken up at this time, out of order, by request of Councilman Kerrigan.

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

ORDINANCE 7347 (New Series) incorporating Lots 1, 2, 3, 4, 31, 32, 33 Metropolitan Center, portion Lot 5 Alvarado Heights, portion of West Half of Reservoir Drive, vacated, into C Zone as defined by Section 101.0411 of San Diego Municipal Code, repealing Ordinance 13558 insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Williams, Curran.

Councilman Williams entered the meeting  
Councilman Curran entered the meeting

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing - having had several continuances - on request of John D. Butler, attorney, relative to claim of J. B. Jennings, 3012-20-26 Jefferson Street, regarding Water Department Invoices Nos. 06939 and 06940, Mr. Butler appeared to be heard. He stated that he represented Mr. Jennings. Mr. Butler said that on a 1911 Act hearing, a protest was filed late on the assessment. He said that his client had paid 1/2 of Jefferson Street. He said that the City Attorney had ruled that the City could not make payment, in that it would constitute a gift of public money. He said that the "allied problem is water service", and that in 1948 service had been installed to 2 lots, and 2 meters. He stated that the City tore up the water lines and moved the meters; now Mr. Jennings is charged. He requested waiving of the charge. He told of there being 2 water department transfers. He read about there being no additional charge for connection. He said that in 1942, when improved, the City advised his client that he was erroneously on the property line, and he set back. He told of widening, and of portion of the street having been taken. He said that the City Attorney has an opinion on the subject.

J. F. DuPaul, City Attorney, stated that he reported to the Council in Conference, this morning. He said he had requested 1 week to find the file.

Mr. Butler discussed the matter with Mr. DuPaul, and said that he had discussed it with Mr. Reese. He said that if there is nothing illegal, this "could be granted contingent on opinion from the Attorney".

Mayor Dail said that this should be referred to the City Manager regarding fairness.

Meeting convened  
7347 N.S.  
Hearing

Mr. Butler said that this has been had in conference, and it had been decided that it should be heard in open meeting. He said "it is equitable".

Mayor Dail said that the Council should hear from the City Manager.

Mr. DuPaul said that there is need for facts.

RESOLUTION 137881, continuing until 10:00 o'clock A.M., February 28, 1957, hearing on claim of J. B. Jennings by John D. Butler; referring the subject to the City Attorney, City Manager and to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Mr. Butler handed records to E. W. Blom, Asst. City Manager.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing appeal of Jack H. Skirball and William Skirball from Planning Commission decision denying application for conditional use permit for a drive-in theatre on Clairemont Boulevard, Harry C. Haelsig, Planning Director, said that this is a rather new procedure (the conditional use). He said that the Council is reviewing appeals, and that records are here. He read the conditional use permit. He told the Council that there was a unanimous vote - 6-0 to deny.

Councilman Burgener asked if there were protests from residents.

Mr. Haelsig replied "yes; there were several people, represented by 2 attorneys".

Louis Karp, attorney, said that protests were by 2 owners of adjacent land; "not by residents". He identified the proposed location as 1-1/2 mile east of the North Shopping Center. He said the nearest residence is 3,000 feet away. Mr. Karp said that it is an uninhabited, undeveloped area. He said that this is in an area where FHA does not approve loans, for homes. He said that application is for an open-air-outdoor theatre, by the people who are building the Bowlero in Mission Valley. Mr. Karp said that they are going to build the theatre and operate it. He said "they are not stock promoters; they are not selling stock". He said that they had purchased and paid for the land, and now they want to go ahead and build the theatre. Mr. Karp charged that the "Planning findings are not proper". He said that findings are not in accordance with the ordinance for conditional use permits. He reviewed the findings, and requirements of the ordinance. He stated that there is not a theatre - closed or open - in the entire area. He said that drive-in theatres are an American way of life, and enlarged upon that thought. He said that it does not create noise and light problems. Mr. Karp said that road problems are solved, and owners are willing to build as the City desires. He said that the developers are willing to risk \$300,000. of their own capital. He said that the (Planning) finding refers to "probable" residential development. He said that at the present there is no planned subdivision, within a 3,000-foot circle. He said that there is nobody residing or working in a great portion of the area, and that nobody can say how it is going to develop. He said there would be no interference, and it is on a new highway. Mr. Karp said that it would be a desirable facility for Clairemont people. He said that areas around drive-in theatres are not blighted. He said there are 3,000 ~~to~~ 3-drive-in theatres to 3 closed theatres. He said that the property owners have complied with the ordinance. He passed around among members of the Council, photos of drive-in theatres constructed around the country.

Councilman Schneider asked Mr. Karp when the property was purchased.

Mr. Karp replied that it was a year ago, and that the application is almost a year old.

Councilman Schneider asked how far this is from M-1.

Mr. Karp said 2 miles, and that otherwise it would be moving nearer to runways of Montgomery or Miramar. He said that "all utilities are there", and that jets won't interfere. He said provisions have been made for service roads, if there is a freeway.

Mayor Dail said "the sewer is not available".

Mr. Haelsig said that the Engineers state that property is 3/8 to 1/2 mile away from sewer and water.

2/21/57

Councilman Schneider said that the temporary road, which exists, is substandard.

Mr. Karp said that the owners are willing to design the exits and entrances so as not to interfere.

Councilman Burgener said that the right of way was donated; the City-County paid cost of the road.

Mr. Andreen, attorney, said that he was in opposition to the proposal. He said he represented 5 parcels; Mr. Fredman represents land owners across the road to the north. He stated that appellants were given a full and fair hearing - approximately 3/4 hour. He said that appellants did not establish the right to a permit; they failed to do that and are here now. He said that it can well be used for R-1, on the property. He said that his clients intend to develop for property for residences.

Mayor Dail left the meeting

Vice Mayor Williams acted as chairman

Mr. Andreen said that no great community necessity has been shown. He stressed injury to adjacent property. He said it would not be desirable for residential purposes. He said that City's Mission Bay property is not occupied; and that as a result of this development, it would be less desirable. He said that the master plan states that this is R-1 zone. He asked if the whole area should not be considered. He said that the Planning Commission has found no necessity, and has found that it would injure. He said appellants have failed to carry their burden.

Mr. Fredman, who did not give his first name or initials, said that several things should be considered. He said that the acreage is normally larger than a City block; there would be dead-ended streets, and cause many problems. He stated that this is a premature request, and that "growth is going in that direction". He said that this is haphazard. He said that if the zone is changed, it should be on the entire area; not in a haphazard manner. He said that the plot plan does not provide a good street plan. He said that "1-1/2 miles is not a prime factor". He stated that Clairemont has an industrial zone that is not developed. He said that housing is not being done, because of airport decision. He declared that the City should not give conditional use - piece-meal. He stated that his clients' and Mr. Andreen's, holdings are in excess of the theatre investment.

Mr. Karp said that the plan submitted does provide for 150 - 175 cars inside the property, off the public property. He said that the property represented by Mr. Fredman is not contiguous, and that they do not represent the people residing there. He said that some 30,000 people "living there", who would use the facility, should be considered. He said that the property owners did not ask for a zone change, but a particular use. He told, again, that where drive-in theatres are located, the areas are not blighted. He said that this could be built without hurting anybody.

Mr. Fredman said that there are no utilities; they are not there. He said that haphazard zoning is not good.

Councilman Burgener spoke to Mr. Haelsig about master planning of the area.

Mr. Haelsig told of having made extensive investigation of the commercial zoning on Kearny Mesa. He said that to the South, 1/4 mile only limits of East Clairemont, are now developing. He told of sketches and designs being all residential in nature. He said "it is difficult to develop around". He said that noise factor and detrimental features would not be eliminated.

Councilman Burgener and Mr. Haelsig had a discussion.

Mr. Haelsig said that if available, it would be logical to develop it at one time, except for the airport blight.

Mr. Karp spoke of 1,000 cars, and said he thinks it is available. He said to Mr. Haelsig that there is a temporary road.

Mr. Haelsig said that there would be a major highway, and that it would depend on the kind of things that go in.

There was discussion between Councilman Kerrigan and Mr. Haelsig. They both said that Clairemont Boulevard is temporary, on a temporary grade.

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

Hearing

There was discussion over a map laid down by Mr. Haelsig. Mr. Skirball spoke to Councilman Burgener about purchase of the property,

Councilman Burgener said that this is premature; he is familiar with the area, and that this is the first he had heard of it.

RESOLUTION 137882, sustaining the Planning Commission in denying the application of Jack H. Skirball and William Skirball, for conditional use permit to construct and operate a drive-in theatre on Clairemont Mesa Boulevard, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Petition of 190 residents of the Ridgeview area in southeast San Diego for extension of "B" bus route from present southerly terminus at Gateway Drive and Rexford Drive, to a new terminus at 47th Street and Federal Boulevard, was presented. It says that "most of the undersigned residents and home owners are the parents of minor children attending the Webster and Marshall Elementary Schools, the Samuel Gompers and Horace Mann Junior High Schools, and the Abraham Lincoln and Herbert Hoover Senior Schools".

Walter Bouman, signer of the letter which transmitted the petition, was present.

Councilman Williams said that the Council cannot render helpful decision.

Mr. Haugh, San Diego Transit System manager, said that there was service prior to Christmas vacation. He said there were losses (in revenue). He told the Council that all the children were within walking distance of the school, or end of the "B" bus. He said that meetings were held. He asked who is responsible for the children's safety. He said it was thought that the City should build sidewalks, at \$10,000. Mr. Haugh said that the School Board did not want to underwrite the project, and the transit system felt that it could not continue the service at a loss. He asked if the Transit System should suffer the loss. He reviewed surveys and reports. He said the system would provide charter service, but that it would be more expensive than the school pass. He pointed out that the system is not a tax-supported body. Mr. Haugh said that it is a question of whose back the piggy is going to be on. He said that the area is "not very safe for buses, either". He said that there is the element of buses, also.

Wayne Frye, secretary to the School Board, said that the Board is interested, and that it had decided on the 1-month arrangement, dependent on the Public Utilities Commission decision. He said that the Board builds elementary schools so that there would not be long walks; the Board felt it had to eliminate the temporary service.

Councilman Schneider spoke to Mr. Frye about fixed rules that sometimes come under special circumstances. He said that the Board is not broke; it might re-assign children, or reconsider the problem.

Mr. Frye pointed out that he could not speak for the Board, but the Board has a number of areas with the same conditions. He said that the Board would be willing to reconsider.

Councilman Curran discussed with Mr. Frye the new school.

Mr. Frye told of proximity, and of having to cross 2 busy intersections.

Councilman Curran continued with questions directed to Mr. Frye, who discussed them with him.

Mr. Frye said that the Board is willing to study re-assignment of students.

Councilman Curran said that temporary sidewalks have been put in, which cars could jump.

Councilman Kerrigan said that the Council is not going to resolve this question today, and that Mr. Frye is not the one to answer. He said that the Council should support the problem for a complete study, to solve it. He spoke to Mr. Haugh about all lines not making money.

2/21/57

Councilman Kerrigan moved to refer the subject to a committee of the Council, to take up with a responsible group - Councilman Curran to serve on the committee - for permanent solution.

Councilman Schneider spoke to Mr. Frye about committee study, and continued peril to the children. He asked Mr. Frye to intercede with the Board for continued service until re-assignment of children (to other school), or Board action.

Mr. Frye said that would not be possible, in that it would be necessary to put to bid the transportation of children.

Mr. Haugh said that it might be possible to extend the 30-day contract; he was not sure.

**Utilities**  
Councilman Kerrigan suggested approach to the School Board, pending petition to the Public Utilities Commission. He said that "hearing was denied on recommendation of a Public Utilities administrative recommendation."

Mr. Haugh said that staff did recommend, and wrote a letter which said it was a staff recommendation only. He said he understands that the Commission is setting a hearing.

Leon Scales, attorney, said that petition was filed only within the last few days with the Commission, and that it has not had the opportunity to act.

Councilman Kerrigan spoke to the audience about his understanding. He said "things can be ironed out".

Martin Bouman, who identified himself as Asst. City Traffic Engineer, was heard. He said he was speaking for a group of citizens. He said that there is going to be some desperate situation, and that it can't be permitted to continue. He said it was felt that it is not primarily a Council problem. He said that effort has been made to work this out on several bases, but solution has not been found; now appeal is being made for help. He said "sidewalks are not the answer". He asked for consideration of other children who go to other schools, etc. He said that things are in a terrible mess, and help is needed. He said that they have "got to have a bus". Mr. Bouman said it is known that the Council cannot order a bus, but Council backing is asked. He said there will be a formal hearing. He asked for continuance of the temporary service.

Councilman Williams spoke of having the interest of the citizens; but the Council can only express support of to the School Board and the Public Utilities.

Individual Councilmen discussed the question with Mr. Bouman.

On motion of Councilman Burgener, seconded by Councilman Schneider, the motion was amended to include Councilman Kerrigan on the Council committee.

Councilman Curran seconded the original motion - as amended. The roll was called on the motion, as amended, resulting in RESOLUTION 137883, referring to Council committee, consisting of Councilman Curran and Councilman Kerrigan, to take up with the responsible group, leading to solution of the problem in connection with children who attend school in the Ridge View Drive and other areas, was adopted.

RESOLUTION 137884, urging San Diego Unified School District and San Diego Transit System to attempt to work together and cooperate in solution of problem in connection with Ridgeview Citizens' Committee of San Diego, until such time as matter may be finally determined by Public Utilities Commission of State of California at a formal hearing, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Councilman Curran spoke to the City Manager requesting investigation in connection with the subject.

RESOLUTION 137885, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Sectional Cement Burial Boxes for 1 year commencing March 1, 1957, under Document 548508, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.



RESOLUTION 137886, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Cold Water Meters, under Document 548509, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 137887, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for painting Sheds 1 and 2, and Headhouse of "B" Street Pier, Headhouse Broadway Pier, Lindbergh Field Administration Building, Document 548425; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137888, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for construction of Sanitary Sewers in Pacific Highway from Bean St. to Witherby St. and in Kurtz St. from Coutts St. to Witherby St., Document 548426; 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 137889, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for construction of new Switzer Creek Storm Drain from Balboa Park to San Diego Bay, Document 548424; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137890, authorizing and directing Purchasing Agent to advertise for sale and sell items of dwelling furniture located at San Diego State College Foundation Housing Authority, 3365 Congress Street, San Diego 10 - listed in the resolution - no longer desirable for use or retention by the City; all expenses in connection with the sale shall be deducted from proceeds received from sale thereof, was on motion of Schneider, seconded by Councilman Burgener, adopted.

The next 2 items had been continued from a previous meeting.  
RESOLUTION 137891, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Bollenbacher & Kelton, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Emerald Hills Estates subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137892, adopting Map of Emerald Hills Estates Subdivision and accepting on behalf of the public Roswell Street, McHugh Street, Bollenbacher Street, Pyramid Street, Alvin Street, Swaner Street, Kelton Road, Kelton Court, Kenwood Street, 47th Street, Luber Street and portions of 56th Street, and easements shown for sewer, water, drainage and public utilities, for public purposes; authorizing and directing Clerk of the City to endorse upon map, as and for act of the Council, that the Council has approved the subdivision map, and that streets and easements are accepted on behalf of the public; directing City Clerk to transmit the

2/21/57

map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

There was listed on the agenda continued item, being communication from Planning Commission submitting Resolution approving tentative map of Mission Valley Ball Park.

Harry Haelsig, Planning Director, presented a map which he explained as he pointed out various features.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, it was continued to the meeting of ~~Thursday~~ Tuesday, February 26, 1957.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Tentative Map of Bowen Manor, a 22-lot subdivision of portion of Aquamar Vista, Hollywood Park, and Pacific Beach - a triangular portion bounded by Tourmaline Street, Fanuel Street and Foothill Boulevard, was presented. Recommendation is subject to 12 conditions, and suspension of portion of the Municipal Code.

RESOLUTION 137893, approving Tentative Map of Bowen Manor; suspending portion of the Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Tentative Map of Broadway Acres, a 4-lot subdivision of portion of Lot 25 Ex-Mission Lands, located on southerly side of "C" Street, easterly of 42nd Street, within R-2 zone, subject to 8 conditions; suspending portion of the Municipal Code, was presented.

RESOLUTION 137894, approving tentative map of Broadway Acres; suspending portion of Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Tentative Map of Castle Hills Terrace, an 84-lot subdivision of Aquamar Vista and portions of Lots 5 and 6 Pacific Beach, located within R-1 zone on easterly side of Foothill Boulevard between Agate and Tourmaline Streets, subject to 14 conditions, and suspension of portion of Municipal Code, was presented.

RESOLUTION 137895, approving tentative map of Castle Hills Terrace; suspending portion of Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map for redivision of Lot 22 Cullen's Westland Terrace Unit 2, located within R-2 zone, on northerly side of Juniper Street, westerly of and adjacent to 34th Street, subject to 4 conditions, and suspension of portion of Municipal Code, was presented. The redivision is for cut into 2 parcels.

RESOLUTION 137896, approving tentative map for resubdivision of Lot 22 Cullens Westland Terrace; suspending portion of Municipal Code, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map (revised) of 4-lot division of Lots 1 through 6 Block 442 Seaman's Subdivision, was presented. It recommends reconsideration of the tentative map and addition of conditions.

RESOLUTION 137897, approving revised tentative map of Seaman's Subdivision; suspending portion of Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The next item was on the agenda for the meeting of February 14, 1957, and was continued until this meeting. It was communication from Mona N. Andreen, Deputy City Attorney, dated February 11, 1957, relative to Superior Court Action #212371 Frost et al vs. The City of San Diego - in connection with rezoning of Pueblo Lots 1202 and 1203 in triangle adjacent to Sharp Memorial Hospital, to have original zoning of property declared unconstitutional and permit owners to make commercial use of the property as if it had been rezoned to commercial zone. The letter "is to advise your Honorable Body of the status of that lawsuit and the request of counsel for the plaintiffs in connection with that reconsideration".

J. F. DuPaul, City Attorney, said that the Council could file the matter, if there is no change of mind.

Councilman Burgener spoke to Harry Haelsig, Planning Director, regarding the area.

Councilman Schneider said that it should be filed - or reconsidered.

Councilman Schneider moved the communication be filed.

Councilman Kerrigan stated that the Attorney says that it can be reconsidered.

RESOLUTION 137898, referring to Council Conference, and continuing the item, until February 28, 1957, in connection with Superior Court Action 212371, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from City of National City, dated February 18, 1957, enclosing certified copy of Resolution 6860 adopted February 13, requesting consent of the City of San Diego - together with copy of proposed Resolution of Intention - in the matter of construction of streets and improvements of Harbison Avenue, Kenton Avenue, Belmont Avenue, et al.

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

Councilman Schneider was excused during consideration of the next item.

Communication from Clairemont Town Council, dated February 16, 1957, by Henry W. Rosley, secretary, P.O. Box 262, San Diego 10, requesting directional signs for roads leading to Clairemont, etc., was presented. It was read to the Council by the Clerk.

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

Copy of communication from Warren G. Dentz, original addressed to the Chief of Police, dated February 18, 1957, relative to conditions at La Jolla Shores - additional lights needed, oil-surfacing of areas, etc.

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

Communication from Pacific Town Council, P.O. Box 9257, dated

2/21/57

February 16, 1957, favoring relocation of Camp Matthews Rifle Range, and amplifying existing conditions and future expansion of campus of University of California, was presented.

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

Communication from San Diego County Water Authority, 2750 Fourth Avenue, San Diego 3, by Richard S. Holmgren, General Manager and Chief Engineer, dated Feb. 15, 1957, was presented. It requests representation as committee member to meet with Water Problems Committee when taken up in the near future.

RESOLUTION 137899, referring to Council Conference communication from San Diego County Water Authority, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Inboard Racing Association, San Diego, California, dated Feb. 14, 1957, by Walt Kalben and Katy Bubenik, was presented. It asks for representative on Mission Bay Development Committee from the Association, which is the only all inboard club in San Diego affiliated with the American Power Boat Association.

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

Communication (copy addressed to "Honorable Sirs"), from Southern California Council of Outdoor Advertising, dated February 11, 1957, by W. A. Cordtz, president, 3904 Mason Street, San Diego 10, was presented. It opposes Senate Bill 666, etc. regulating advertising displays in unincorporated areas of the 58 counties.

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

Communication from Joint Interim Committee on Transportation Problems, California Legislature, by Randolph Collier, chairman, dated February 18, 1957, was presented. It has to do with pending report of State highways and county roads and city street needs to the United States Bureau of Public Roads.

RESOLUTION 137900, referring communication from Joint Interim Committee on Transportation Problems to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Postal Card from Bertha (Mrs. C. W.) Benson, endorsing master plan of park and recreation department, and immediate completion of North District Park - Kate O. Sessions Memorial Park - was presented.

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

Communication from Planning Commission, by Harry C. Haelsig, dated Feb. 20, 1957, giving detailed report on proposed Rosedale-Rancho Mission Tract annexation, and recommending that the area be annexed, was presented.

RESOLUTION 137901, referring to Council Conference Planning Commission communication re proposed Rosedale-Rancho Mission Tract Annexation, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

2/21/57

Councilman Burgener requested, and was granted, unanimous consent to present the next item, not listed on the agenda. He said that 2 resolutions (with, and without) conditions had been discussed with Charles Brown of Town & Country Hotel.

Mr. Brown said to the Council that he cannot do as provided in the Resolution, which provides conditions. He showed the Council a plat, which he explained.

Councilman Burgener said that there is another Resolution - with no conditions.

Mr. Brown said that Resolution with conditions would remove parking for residential units.

Councilman Burgener moved to adopt the Resolution (with no conditions).

Councilman Schneider had a discussion with Mr. Brown.

Councilman Kerrigan discussed with Mr. Brown the date of construction.

Mr. Brown said that bid would be in May (for the Mission Valley Freeway). He said that the State has taken a portion of the property, and that the State is planning 10 to 20 years to the future.

Mr. Haelsig stated that the "State builds service roads 'for now'"

Councilman Schneider seconded the motion.

RESOLUTION 137902, granting conditional use permit to Town & County Development, Inc. to build and operate service station as part of the development of the hotel, on portion of Lot 4 in Pueblo Lot 1105 - overruling decision of the Planning Commission, Case 941 dated January 9, 1957, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson. Nays-Councilman Williams. ~~Absent~~ - Mayor Dail.

RESOLUTION 137903, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with College Avenue Baptist Church, providing for construction of public improvements in extension of Arosa Street, under Document 548420, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137904, authorizing and empowering City Manager to execute, for and on behalf of the City, amendment to Contract NBy(U) 7224 as requested by District Public Works Office, Eleventh Naval District, United States of America, designated 'Change Order "C"' under Document 548636, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

This has to do with ~~with~~ size of contractor's pipe line to point of delivery from 6 to 12 inches.

RESOLUTION 137905, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement (Right of Way Contract) with State of California, Department of Public Works, Division of Highways, in connection with State's improvement of 6th Street Extension, southerly of Mission Valley Road, was on motion of Councilman Kerrigan, seconded by Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137906, authorizing and empowering City Manager to execute, for and on behalf of the City, lease agreement with Alfonso L. Abrego and/or Donald Abrego, dba Presidio Hills Public Golf Course, of portions of Old San Diego, for exclusive right to operations on several facilities, under Document 548648, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137907, authorizing O. W. Campbell, City Manager, to attend meeting called by Governor Knight on water problems, to be held in Sacramento, February 25, 1957, and incur all necessary expenses, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 137908, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, quitclaim deed quitclaiming to State of California portion of Lot 15 in Block 4 of Subdivision of Lots 48, 49 and north portion Lot 50 of Fleischer's Addition - containing .06 of an acre, for purposes of a freeway - and releasing and relinquishing to grantee any and all abutter's rights of access appurtenant to grantor's remaining property in and to the freeway; authorizing and directing City Clerk to deliver quitclaim deed to Property Supervisor, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137909, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, quitclaim deed quitclaiming to KFSD, Inc., 3642 Enterprise Street, San Diego 10, all its right, title and interest in portion Lot 19 Ex-Mission Lands of San Diego, under Document 548649; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions to complete transaction, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution has to do with exchange of properties.

RESOLUTION 137910, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, quitclaim deed quitclaiming to Southeastern California Association of Seventh-day Adventists, approximately 3.7 acres of land, formerly Collier Park, facing on Valeta Street, under Document 548650; 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 Burgener, seconded by Councilman Kerrigan, adopted.

Resolution has to do with exchange of properties.

RESOLUTION 137911, accepting deed of Bryan C. Clark, Jr. and Ruth Elizabeth Clark, February 5, 1957, conveying easement for sewer, water, drainage and public utilities and right of ingress thereto and egress therefrom, over and across northerly 4.00 feet of 25-foot strip of land lying contiguous southerly to southerly lines of Lots 17 and 26 Seminole Terrace; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137912, accepting deed of Stanmar Corporation, January 31, 1957, quitclaiming to the City all storm drains and appurtenant structures constructed for its use, located in public streets, rights of way, highways, and public places, either within or without, subdivision named Valle Granado; authorizing and directing City Clerk 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 137913, accepting deed of Estelle C. Levi, Ruth L. Rubin, Richard Carl Levi and Norman George Levi, February 4, 1957, conveying easement for right of way for public sewer and appurtenances in strip of land 20.0 feet wide in Pueblo Lot 1223; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137914, accepting subordination agreement, executed by The First National Trust and Savings Bank of San Diego, beneficiary, and The First National Trust and Savings Bank of San Diego, trustee, February 11, 1957, subordinating all their right, title and interest in and to easement for right of way for public street and incidents, in portion Lot 5 La Mesa Colony; authorizing and directing City Clerk to file subordination agreement, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 137915, accepting deed of College Avenue Baptist Church of San Diego, February 11, 1957, conveying easement for right of way for public street and incidents, in portion Lot 5 La Mesa Colony; naming same Arosa 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 137916, accepting deed of Isabel Bedford, February 6, 1957, conveying easement and right of way for storm drain purposes in portions Lots 11, 12, 13 Block 128 Choates Addition; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137917, accepting deed of Isabel Bedford, February 6, 1957, conveying Lots 13 and 14 Block 13 Nordica Heights No. 2; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137918, accepting deed of Mildred E. Anderson, January 24, 1957, conveying portion Lot 2 Block 70 Arnold and Choate'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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137919, accepting deed of Lester Loeser and Margit Loeser, February 6, 1957, conveying portions of Lots 1 through 8 and Lots 31 through 36 Block 1 Leebrick'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 Burgener, seconded by Councilman Kerrigan, adopted.

2/21/57

RESOLUTION 137920, accepting deed of Josephine Wilson, February 4, 1957, conveying Lots 17 and 18 Block 8 Del Mar 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137921, accepting deed of Nathan Bert Smith and William Tennis Smith, January 31, 1957, conveying easterly 65 feet Lot 28 Block 7 Florence Heights Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137922, accepting deed of Harry L. Hitchcock, February 11, 1957, conveying easement and right of way for sewer, water, drainage and public utilities and right of ingress and egress, in portions Lots 60 and 61 Reynard Hills; authorizing and directing City Clerk to file 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 137923, accepting deed of Wilbur W. Easton, Tax Collector of County of San Diego, State of California, February 6, 1957, conveying Lots 6 and 7 Block 412 H. C. Skinner's Addition, for drainage purposes; authorizing and directing City Clerk 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 137924, accepting deed of Parker Sorrento, Inc., December 6, 1956, conveying easement and right of way for water main or mains, together with appurtenances, in strip of land 30.0 feet wide in Lot 17 Block 14 Lot 11 Block 15 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137925, accepting deed of San Diego Unified School District of San Diego County, California, February 5, 1957, conveying easement for public street or highway purposes in southeast quarter Lot 30 Rancho Ex-Mission (Horton's Purchase); naming land Guymon Street and Euclid Avenue; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137926, accepting deed of Muriel Mary Steele and M. Brady Steel, October 3, 1956, conveying easement for floodage rights in portions of Lots 1, 2, 3 Block F Fanita Rancho; authorizing and directing City Clerk 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.

2/21/57

RESOLUTION 137927, accepting deed of Russell Richardson and Paralee Richardson, February 13, 1957, conveying easement for right of way for public street, and public alley, and incidents, in portions of Lot 25 Block 5 Stetson's Addition; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137928, accepting deed of Isabel Bedford, February 6, 1957, conveying portions of Lots 4, 5 Block 412 H. C. Skinner'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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137929, accepting quitclaim deed of Floy Kiefer, February 14, 1957, quitclaiming Lot 23 Block 33 Mission Beach Addition; authorizing and directing City Clerk to file deed for record in office of County Recorder of San Diego County, together with certified copy of resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137930, accepting deed of Edward E. Barr and Betty J. Barr, and Robert C. Kellogg and Catherine A. Kellogg, January 22, 1957, conveying easement for alley purposes in portion Lot 48 Block 24 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137931, accepting deed of John D. Carrere, January 17, 1957, conveying portion of Pueblo Lot 1110; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137932, accepting deed of Edwin V. Raines and Blanche Raines, January 23, 1957, conveying portion of Villa Lot 383 Valle Vista 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137933, accepting deed of Josephine M. McVicar and James W. McVicar, January 23, 1957, conveying portion Villa Lot 379 of Valle Vista 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 Kerrigan, adopted.

2/21/57

RESOLUTION 137934, accepting deed of Harry H. Wilder and Rena E. Wilder, January 24, 1957, conveying portion Villa Lot 381 of Valle Vista 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137935, accepting deed of Edward E. Barr and Betty J. Barr, and Robert C. Kellogg and Catherine A. Kellogg, January 22, 1957, conveying easement and right of way for street purposes in portion Lot 48 Block 24 City Heights; naming land Maple 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 137936, accepting subordination agreement, executed by Clifford C. Pease, beneficiary, and Union Title Insurance and Trust Company, trustee, December 5, 1956, subordinating all their right, title and interest in and to easement for right of way for public sewer and appurtenances, in portions of Pueblo Lots 1195, 1206, 1207, 1210 and unnumbered Pueblo Lots known as Foss Addition and Conners Tract; authorizing and directing City Clerk to file subordination agreement, 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 137937, accepting subordination agreement, executed by Security Title Insurance Company, beneficiary, and Security Title Insurance Company, trustee, January 11, 1957, subordinating all their right, title and interest in and to easement for right of way for public sewer and appurtenances in portion Lot 67 Rancho Mission of San Diego; authorizing and directing City Clerk to file subordination agreement, 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 137938, accepting subordination agreement, executed by Union Title Insurance and Trust Company, beneficiary, and Union Title Insurance and Trust Company, trustee, January 18, 1957, subordinating all their right, title and interest in and to easement for right of way for public sewer and appurtenances in portion of Lot 67 Rancho Mission of San Diego; authorizing and directing City Clerk to file subordination agreement, 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 137939, accepting deed of John F. Euston, December 17, 1956, conveying easement and right of way for sewer purposes in portions of Pueblo Lots 1195, 1206, 1207, 1210 and unnumbered Pueblo Lots known as Foss Addition and Conners 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137940, accepting deed of Union Title and

(Insurance) Co., January 7, 1957, conveying easement and right of way for sewer purposes in portions of Pueblo Lots 1195, 1206, 1207, 1210 and unnumbered Pueblo Lots known as Foss Addition and Conners 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137941, accepting deed of Harry L. Foster and Myra Foster, January 31, 1957, conveying easement and right of way for sewer, water, drainage and public utilities and right of ingress and egress, in northerly 12.00 feet Lot 22 Moody's South Addition to Lemon Grove; authorizing directing City Clerk to transmit 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.

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 7348 (New Series), deleting from the Master Plan of Public Buildings of The City of San Diego, a "Site for Public Assembly Facilities" more particularly affecting area lying between Ash and Cedar Streets and between First and Third Avenues, and repealing Ordinance 6807 (New Series) insofar as it conflicts, was on motion of Councilman Burgener, 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 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 7349 (New Series), amending Article 1 Chapter X of San Diego Municipal Code by amending Sections 101.0408 and 101.0628 thereof by adding thereto new section to be known as and numbered Section 101.0408.1 relating to Zoning, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

(The new Section - 101.0408.1 R-P Zone is Residential-Professional).

Ordinance setting aside and dedicating portions of Lots 7 to 9 inclusive, Block 170 Middletown, as and for public street, and naming it Kurtz Street, was introduced, on motion of Councilman Burgener, seconded by Councilman Evenson, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran. Evenson. Nays-None. Absent-Mayor Dail.

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

RESOLUTION 137942, authorizing City Manager to enter into contract with law firm of O'Melveny & Myers for legal services in connection

137941 - 137942 (latter  
U.C.)

7348 N.S. - 7349 N.S.  
Ord. introduced

2/21/57

with Civic Theatre Bond issue at April 16, 1957 election, under Document 548655, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Councilman Burgener told of the Good Humor man coming around to residences at 9 P.M. - "when kids are in bed at 8". He said that investigation was needed, and the item should be studied in conference.

RESOLUTION 137943, referring to Council Conference the matter of ice cream vending trucks, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Councilman Burgener brought up an item not listed on the agenda. He said there should be referred to the City Attorney the matter of claims (from water) at Mission Boulevard and Pacific Beach Drive.

City Attorney J. F. DuPaul said he thinks he has looked into it.

RESOLUTION 137944, requesting City Manager and City Attorney to report on claim for damage at Mission Boulevard and Pacific Beach Drive, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

The next 2 items were returned from Council Conference by the Council secretary - and filed by the Clerk:

Communication from Associated Plumbing Contractors protesting certain practices presently being engaged in by the City Water Department - Document 504071;

Communication from Mona Williams opposing proposed Civic Theatre in Balboa Park - Document 548194.

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned, at 12:11 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*James B. DuPaul*  
Mayor of The City of San Diego, California

137943 - 137944 - under U.C.  
Conference items returned - and filed  
Meeting adjourned



## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, February 26,  
1957

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

Absent--None

Clerk---Fred W. Sick

Mr. Hilner Krause, Intern Pastor, Good Shepherd Lutheran Church - in the absence of the Reverend R. F. Kibler - was introduced by the Mayor.

Mr. Krause gave the invocation

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

Ordinances and Resolutions for this meeting are recorded on Microfilm Roll 126.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Minutes for the Regular Meetings of Tuesday, February 19, 1956, and of Thursday, February 21, 1956, without reading - after which they were signed by the Mayor.

Service awards, honoring employees with long service with the City of San Diego, were made at this time, to:

Myrtle W. Rice, Senior Librarian, Public Library - 30-year pin, and scroll - presentation made by Councilman Curran;

Paul Beermann, Director of the Water Department - 30-year pin, and scroll - presentation made by Mayor Dail;

Juel A. Nelsen, Captain, Fire Department - 20-year pin; by Councilman Burgener;

George W. Rice, Captain, Fire Department - 20-year pin; by Councilman Schneider.

After the presentations, Councilman Burgener introduced Fire Chief George Courser, and made a few complimentary remarks about the Chief and the Fire Department in general.

Mayor Dail welcomed a visiting group of new City employees. At his request, the individuals arose.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on paving and otherwise improving 55th Street, 56th Street, 58th Street, Orange Avenue and Trojan Avenue, Councilman Kerrigan asked if Mr. Putnam (William S. Putnam, who had protested failure to post ordinance establishing grade in 1938), was present.

Councilman Curran said that "he is here, and he can be heard".

Mr. Putnam spoke of his letter which he had filed. He said he (his property) was left high and dry, and that there was been damage

Meeting convened  
Invocation  
Minutes approved  
Service awards - etc.  
New Employees welcomed  
Hearing - (cont.)

on account of the grade. He said it was supposedly established in 1938. He stated that he has been told that "it is illegal because grade was not posted". He said that in 1938, if not legal, he now wants the grade so that he can get into his garage. He spoke of having been left on top of a hill, and that it is not fair. He said that people on the other side have built on the grade as is.

Mayor Dail said it is a matter of record, and about grade establishment.

Mr. Putnam replied that it is in the ordinance, but he does not know if the ordinance was posted; no one can show him that it was.

Councilman Schneider asked Mr. Putnam how long it is since he purchased his property.

Mr. Putnam said that it was "purchased in 1948".

Councilman Schneider had a discussion with Mr. Putnam, during which he pointed out that the Putnam driveway "is in City property".

Mayor Dail stated that the City Engineer is charged with the responsibility of designing the project. He said that it is a matter of evidence; a matter for the courts, not the Council.

Mr. Putnam said he understood that this had been referred to the Deputy City Attorney (at the hearing of February 19, 1957). (It was).

Opinion from the City Attorney, signed by Frederick B. Holoboff, Deputy, approved by J. F. DuPaul, was read to the Council by the Clerk. The opinion says that investigation disclosed that no steps were taken to comply with notice provisions of the statutes. It concludes by saying that "considering the circumstances and authorities, it is our opinion that Mr. Putnam has not been foreclosed from claiming damages by the adoption of Ordinance No. 1488 (New Series)".

Councilman Curran said that the Council had asked for the opinion.

Mr. Salle said that he had property on the other side of the street, and he understood that "this was not an issue". He told of having come down (to the City Engineer) before starting construction, and having received the grade from the Engineer. He said that the people on the west side of the street put in the sewer at their own expense. He said the "Putnam driveway is in the Street".

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

RESOLUTION 137945, overruling and denying protest of William S. Putnam against paving and otherwise improving 55th Street, 57th Street, 56th St. & 58th Street, Orange Avenue and Trojan Avenue, Resolution of Intention 136299; overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 137374, for paving and otherwise improving Donna Ave., portion Celia Vista Drive, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman 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 137375, for paving and otherwise improving Lillian Street, Viola Street, Gertrude Street, Bianca Avenue, Hilda

Road, Ellsworth Street, Crown Street, Onstad Street, Solar Street, Brownell Street, Plainview Road, Knox Street, Everview Road, Monitor Road, Elevation Road, Dorcas Street, Cushman Avenue, Savannah Street, Buenos Avenue, Public Rights of Way in Blocks 2 and 5 Overlook Heights, and Path in Block 2 Overlook Heights, Resolution of Intention 137375, the Clerk reported written protests from Gertrude Frei and Joe Frei, and from Richard Bray and Jo W. Hovelman.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 137946, overruling and denying protests of Richard Bray and Jo W. Hovelman, Joe Frei and Gertrude Frei, against paving and otherwise improving Lillian Street, Viola Street, Gertrude Street, Bianca Avenue, Hilda Road, et al., Resolution of Intention 137375; overruling and denying all other protests, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 137376, for installation of sewers in Muirlands Drive, El Camino Del Teatro, El Paso Real, Lane in Lot 1 Block 16 The Muirlands, and Public Rights of Way, the Clerk reported written protests from Frederic C. Roome and Eugenia T. Roome, R. H. Parker, Charles W. Ferris, Jan and Marjorie Sommer, Karen Clark and Marvin C. Clark.

The Mayor inquired if anyone was present to be heard.

Mrs. Clark said she had sent in a written protest.

The Clark protest was read by the Clerk.

Councilman Schneider said to the protestants who had gathered at the microphone that "this is done at the request of property owners".

The City Engineer showed a map, which he explained to the Council, and to Mrs. Clark. He said that "there is no way of getting through without disturbing the trees".

Mrs. Clark spoke of granting an easement, which she explained from the map.

The City Engineer said that this is a difficult hillside location, with a lot of landscaping. He agreed that there would be some damage, and that some of the work would have to be done by hand.

Mrs. Clark spoke of need for 2 connections - down through Camino del Teatro. She pointed to a map in connection with what she proposed.

The City Engineer suggested continuance for 1 week.

Councilman Kerrigan moved continuance for 1 week.

Mrs. Charles W. Ferris said that Mr. Ferris wrote.

Councilman Schneider seconded the motion to continue the hearing 1 week.

RESOLUTION 137947, continuing hearing on proposed installation of sewers in Muirlands Drive, et al., Resolution of Intention 137376, until 10:00 o'clock A.M., Tuesday, March 5, 1957, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 137478, for paving and otherwise improving Birch 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 137948, determining that paving and otherwise improving Birch Street, Resolution of Preliminary Determination 137478, is

2/26/57

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 of Preliminary Determination 137479, for paving and otherwise improving Franklin Avenue, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 137949, determining that improvement of Franklin 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 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 137480 for paving and otherwise improving Sumac Drive, with Modesto Drive, Juniper Street, Laurel Street, Alley Block 21 Lexington Park, et al, the Clerk reported written protests from D. W. Pine, et al, D. W. Pine (again) et al., (Ralph W. Campbell and Julia V. Campbell, Mrs. J. W. Martinez, Robt. J. Kallander and Elizabeth Kallander; Gwen Kay Ellison, William H. Ellison, et al.; Homer C. Killgore, Mrs. Irene H. Cottrell and Hubert Cottrell, Mrs. Frieda E. Ehrig, Mr. & Mrs. Robt. H. Jenks, James E. Hon and Evelyn Hon, Mrs. Alfred Meyer, W. Bruce Cook and Dorothy Cook, Graydon T. Crabtree, James Fox, Mrs. Helen T. Winkler.

Asked for a report, the City Engineer stated that there is a 6.2% protest - asking for exclusion of 1 block, and that there is a heavy protest in that block (Modesto Street from Sumac Drive to Juniper Street). He discussed the situation with members of the Council over a map. He said that a majority of the protest is in the 1 block.

D. W. Pine read a statement of protest "for only 1 section". He filed a plat, showing a hatched portion which asks for exclusion. He said that "a portion may be defaulted when improvement comes through". He said that there will be an 82% protest by Mr. Davis on Modesto Street. He told of there being a 6-foot drop in 40 feet.

Councilman Kerrigan pointed out that this hearing is on the 6-vote resolution of feasibility, and that there will be another hearing - on the Resolution of Intention. He said that the Council will have an opportunity to look at the area. He talked to Mr. Pine about his assessment, if portion of the improvement is removed.

Willard Olson, from the City Engineer's Office, looked at the plat.

Councilman Kerrigan said that if Modesto there will still be an assessment (for Mr. Pine's property).

Mr. Olson said that would be not over \$500. - if dropped.

Mr. Pine said that he was "willing to pay \$500., but not \$2,400.00".

Councilman Kerrigan expressed the belief that it would be helpful if the Council looks at the property.

George B. Grifford, on Sumac, said he thinks the Council has not been acquainted with the situation. He stated that he had bought his property 25 years ago. He spoke of having tried to get civic improvement; they got lights. He said that Mr. Pine is encroaching on the sewer line, which had been paid for (by others), while he (Pine) paid only for the hook-up. He said the sewer was put in by private contract. He said

2/26/57

that the principal property<sup>owner</sup>/does not live in this state. He spoke of the property owners having had to fight for everything, and that it is not fair for an out-of-state owner to hold up the project. He said that "children have to walk through mud for blocks". He said that if property owners are going to live there, they are going to have to pay for the improvements. He said the improvement can't be put in, if portion is eliminated. He said he "wants it to go through as is". At his request, a large crowd rose in favor of the improvement. He "prayed for a square deal".

Councilman Kerrigan said that he is sorry for Mr. Pine. He spoke to Mr. Gifford about what property he owns, and discussed the question with Mr. Gifford. Then he discussed the assessment spread with Mr. Olson.

Councilman Kerrigan moved to adopt Resolution - and Council go out and look at the property. Motion was seconded by Councilman Schneider,

Councilman Burgener moved to overrule the protests.

Mr. Pine said that several incorrect impressions had been given. He recited them.

Councilman Schneider seconded the motion to overrule protests.

Jess Hume protested. He said he had lived in San Diego since 1912; he moved onto Modesto Street 17 years ago; there were not houses there, then. He said there was only 1 road, with no room to pass. He said that the only time there is mud is 1 week during the year. He started to say that assessment, if paved...(did not complete statement). He said he has not saved his money, but has reinvested it in San Diego. Mr. Hume said that paving would be an encumbrance. He told of having 80-foot frontage.

Councilman Kerrigan said that the hearing today is on the 6-vote resolution (of feasibility); there would be another hearing in 5 or 6 weeks (on Resolution of Intention), and that the Council will look at it.

Councilman Williams asked the cost per lot.

The City Engineer said that can be worked up.

Mr. Ferrari, Lot 26 Block 23, spoke of having a condition when it rains, of mud and splashing. He said that "the only way is to pave". He said that it would be a benefit to put in the sewer.

RESOLUTION 137950, overruling and denying protests, against Resolution of Preliminary Determination 137480, for paving and otherwise improving Sumac Drive, Modesto Street, Juniper Street, Laurel Street, Alley 21 Lexington Park, Columbine Street, Olive Street, Alley Block 19 Lexington Park, Fairmount Avenue, Hollywood Park, Public Rights of Way, under Resolution 137480, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 137951, determining that improving Sumac Drive, Modesto Street, Juniper Street, Laurel Street, et al., Resolution of Preliminary Determination 137480, 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 furnishing electric energy in Talmadge Park Lighting District 3, for 1 year from and including March 1, 1957, 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 137952, confirming and adopting as a whole "Engineer's Report and Assessment for Talmadge Park Lighting District No. 3", 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 continued hearing on Assessment for paving and otherwise improving Noyes Street, with Beryl Street, Law Street, Academy Street, Diamond Street and

2/26/57

Missouri, Willard Olson, of the City Engineer's office, said that he has the "re-worked assessment; it is ready".

Councilman Burgener spoke to the audience on the subject.

Mayor Dail said that action should be: 1) sustain the Sessions' appeal; 2) overrule the rest of the appeals; 3) order correction of the assessment; 4) confirm the modified assessment roll - reducing the assessment on Mr. Sessions' property.

Councilman Kerrigan said that "there are other properties beyond the Sessions reduction".

Mayor Dail said that there are others.

Councilman Kerrigan asked what the total is in dollars. He pointed out that if assessment is reduced on a portion, it will mean increase on the rest.

Mr. Olson said that "total reduction is about \$1,500".

Councilman Kerrigan said that would be \$1,500. additional on the rest of the property.

Mr. Olson said that "portion is in; portion is out". He showed the assessment (as proposed, corrected) to the Council.

Milton Sessions explained figures given to him on individual parcels; there was \$3,000. assessment on portion, etc.

Councilman Schneider had a discussion with Mr. Sessions.

Mr. Sessions stated that there is no practical connection with Noyes.

Owner of property at 2011 Chalcedony (whose name was not understood) said that there was no reason to cause "a round-about way". He said there was no reason to improve Noyes; there was drainage on Chalcedony. Question was asked where there was any improvement on Chalcedony, west of Academy Place. There was discussion with Mr. Olson, during which new figures were questioned. (Actually, name was not given, or asked).

Councilman Burgener spoke about "raising the calibre of the neighborhood", because of the improvement. He and the previously unnamed protestant discussed the assessment.

Mr. Wiltes, 2001 Missouri stated that his property is more remote from the drainage area than that of Mr. Sessions.

Asked for an identification of the property, the Clerk reported that it was a metes and bounds assessment - for \$365.00.

Mr. Olson said that was reduced to \$163.93.

A man on Emerald Street, who did not give his name, held a discussion with Mr. Olson. He said his assessment would be the same as the notice (Olson's statement). The appellant said that there is no sidewalk on Noyes, and the children are going to the Sessions School.

Mr. Olson replied that sidewalks were put in just where they had been petitioned; that was not part of the job.

RESOLUTION 137953, sustaining appeal of Sessions Development Co. from Street Superintendent's Assessment 2560 made to cover expenses of paving and otherwise improving Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street, Missouri Street, Resolution of Intention 129454; overruling and denying appeals of Dora Orlansky, Mrs. Virginia Williams, L. A. White, Mrs. Katie Shepardson, Property Owners, Clair A. Sachs and Evelyn M. Sachs, Evelyn L. Mansfield; requesting Street Superintendent to correct Assessment 2560; confirming and approving Street Superintendent's modified and corrected Assessment 2560; authorizing and directing him 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 Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Mayor Dail. Nays-Councilman Schneider.

(There were 4 motions: Williams and Evenson to sustain the 1 appeal; Williams and Burgener to overrule the other appeals; direct modification of the Assessment roll by Burgener and Williams; Burgener and Williams to confirm the modified assessment).



2/26/57

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2563 made to cover cost and expenses of paving and otherwise improving Alley Block 2 City Heights Annex 1, Resolution of Intention 131459, 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 137954, confirming and approving Street Superintendent's Assessment 2563 made to cover costs and expenses of improving Alley Block 2 City Heights Annex 1, Resolution of Intention 131459; 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 office of Street Superintendent the warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bid of Fischbach & Moore, Inc. for installation of Traffic Signal and Safety Lighting Systems at Intersection of 55th Street and Montezuma Road, and on Montezuma Road from 55th Street westerly 1400 feet - \$22,939.00; 4 bids - was presented. It reports estimated cost as \$26,400.00.

RESOLUTION 137955, accepting bid of Fischbach & Moore, Inc. for installation of Traffic Signal and Safety Lighting Systems; 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.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on communication of Planning Commission submitting Resolution approving tentative map of Mission Valley Ball Park, a 2-lot subdivision, Alan Firestone, Deputy City Attorney, said to the Council that the item had been referred to the City Attorney to see if agreement could be worked out "regarding future damage". He said "that has been worked out". Mr. Firestone said that the question, now, is one of severance damages.

James F. Mulvaney, who had spoken at the previous hearing, said that Planning had stated that restrictions were needed. He said that damages "should not include giving severance damages to the City".

Mr. Firestone said that several items are involved; it is a matter of agreement; severance damage item has not been worked out.

Councilman Kerrigan said that "Planning recommendation did not intend the building in the flood control channel". He asked if there is an agreement to prohibit the building in the flood channel.

Councilman Schneider said that he wants this "to be on a par with others".

Mayor Dail said that severance damages are not waived.

Mr. Mulvaney said that 48-foot right of way will be dedicated along Friars Road, but the map requests an additional 30 feet. He said he does not want to waive the severance damages on the 30 feet to the north, regarding the existing house.

Mr. Haelsig said that goes back to the beginning of zone discussions. He said it had been referred back to the City Engineer; there had been recommendations and discussions. He said that this enters into the problem of entrances and exits; it takes 10 feet additional. He said that first representative (preceding Mr. Mulvaney) had a different view; he was not concerned with the drainage channel. He added that there are going to be traffic demands because of the installation (of the ball park).

Mr. Mulvaney expressed willingness to give 80 feet, and the 20 feet; but did not want the requirement for giving 30 feet on the north. He said that involves the house. He said that there would be a willingness to enter into agreement about not improving the area to the north.

2/26/57

Councilmen Williams and Kerrigan discussed the "frontage" with Mr. Mulvaney and Al Schuss.

Richard Weiser, Asst. Planning Director, showed a map, over which there was a conference of Councilmen and previous speakers.

Mr. Haelsig said that the area is "going to have a traffic problem".

Mayor Dail said that Friars Road is going to have to be improved, sooner than expected.

Mr. Mulvaney said that this different from a usual subdivision (of homes) or shopping center.

Mayor Dail said that the developers (of the baseball park) should be willing to participate with the City in the improvement; it should be at a reasonable price.

Mulvaney stressed that the developers are already giving valuable property; talk is of "property not in the river bottom". He told of being bound by the City Engineer on Friars Road location.

Mayor Dail said the question did not come up last week, and asked if it was not discussed with the City Attorney.

Mr. Mulvaney stated that it is "an analogous problem".

Councilman Schneider spoke to Mr. Mulvaney about the house property.

Mr. Mulvaney said that request had been for "the whole strip", and that some houses will be wiped out by the road. He said he was not talking about that.

Mayor Dail said that the area for the house, only, should be cut out.

Messrs. Haelsig and Weiser said that some portion is dedicated.

Mayor Dail said that you "can't ride a good horse to death; don't cut out the entire frontage; only the house area".

Councilmen Williams and Schneider held a discussion with Mr. Mulvaney on that point.

Mayor Dail said that this should be continued 1 week; be referred to the City Attorney about the "house piece".

Mr. Haelsig said that the house is opposite one of the main entrances; there could not be a left turning lane.

Mr. Mulvaney pointed to development on a map, over which there was a conference.

Councilman Kerrigan told of there being additional discussions.

Councilman Kerrigan moved to continue the hearing to Tuesday of next week (but he changed it to Thursday of this week) and refer the subject to conference. Motion was seconded by Councilman Schneider.

RESOLUTION 137956, referring to Council Conference for discussion prior to meeting of February 28, 1957, proposed Resolution approving Tentative Map of Mission Valley Ball Park, and directing listing on the agenda for February 28, 1957, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Councilman Burgener requested, and was granted, unanimous consent, to present an item not listed on the agenda.

He presented an ordinance establishing interim regulations - an emergency - governing use of land in Lots 448 to 470 inclusive Crown Point.

An unscheduled, lengthy, hearing developed.

Mrs. Martinette showed a "quick sketch", and read a letter of petition to the Council, which she did not file. She said it was believed there were deed restrictions, which were found to be unenforceable. She opposed proposed development - although it is R-4 - in a residential neighborhood. She said that neighbors had filed a petition for R-2.

2/26/57

Councilman Burgener said that hearing has been set (by Planning) for March 15.

The Mayor said that request is being made for immediate relief.

Councilman Burgener said that there would be 8 units; no parking; there is R-1 development in the R-4 zone. He stated that the Attorney says the Council can adopt an interim ordinance to rezone. He said that the proposed developer "does have a building permit".

Alan Firestone said that zoning would relate to the date of the zoning; not the date of development.

Mrs. Campbell, owner of the lot discussed, said that building permit has been received "for deluxe apartment development", and that property is R-4.

Mayor Dail pointed out that the property is still R-4, and said that the City can't intervene, although it sympathizes. He said that if Mrs. Andreen (deputy City Attorney) advised stopping, it was wrong.

Councilman Kerrigan said that property could be rezoned, as an emergency, subject to a finding - but that could not be defended in court.

Councilman Curran said that if the Council were to adopt an ordinance today, the previous action would stand.

Other individuals spoke along the line of Mrs. Martinette's presentation, but speakers and comments are not set down here, because motion of Councilman Burgener to introduce the ordinance, dispense with its reading, and adopt it, failed to receive a second.

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

Communication from Planning Commission, by Richard L. Weiser, recommending reapproval of Tentative Map of La Jolla Mesa Terrace, a 3-lot subdivision of portion Lot 6 Pueblo Lot 1782 located on westerly side of La Jolla Mesa Drive, southerly of Deerhill Mesa Court - subject to all conditions of Resolution 131098, excepting that Item 2 be changed as shown on the following resolution, was presented.

RESOLUTION 137957, approving tentative map of La Jolla Mesa Terrace, subject to previous conditions, with change in Item 2, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending record of survey for resubdivision of Lots 25 through 28 Block 8 Stetson's Addition, for 2 lots, at corner of 38th & Florence, in southeastern section of the City, was presented.

RESOLUTION 137958, approving filing Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code, in Lots 25 through 28 Block 5 Stetson's addition, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Mayor Dail declared a recess, at 12:27 P.M. until 2:00 P.M. this date.

Mayor Dail called the meeting to order at 2:06 o'clock P.M.

The roll call showed the following:

Present--Councilmen Burgener, Schneider, Curran, Evenson, Mayor Dail

Absent--Councilmen Williams, Kerrigan

Clerk---Fred W. Sick

Hearing - unscheduled  
Communications -  
Planning  
Meeting recessed &  
reconvened

2/26/57

Communication from San Diego County Water Authority, 2750 Fourth Avenue, San Diego 3, dated February 20, 1957, by W. H. Jennings, General Counsel, was presented. It says that the advisory committee of the Authority's Board of Directors has recommended that election be called at an early date for securing authorization to issue from thirty to thirty-five million dollars general obligation bonds of the Authority, to finance proposed construction by Metropolitan (Water District) of a second aqueduct, etc.

Councilman Schneider said he was told that there may not be the item on the ballot.

The City Manager said that there might be 2 elections on the same day; there would be saving to "them" of only \$30,000 or \$40,000.

RESOLUTION 137959, referring to Council Conference communication from San Diego County Water Authority, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 137960, directing notice of filing Assessment 2567, and of time and place of hearing, for paving and otherwise improving Morena Blvd., Paul Jones Ave., Ethan Allen Ave., Princeton Ave., et al., Resolution of Intention 129064, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 137961, directing notice of filing Assessment 2568, and of time and place of hearing, for paving and otherwise improving Roanoke Street, Rachael Avenue, Hopkins Street, Deauville Street, et al., Resolution of Intention 131178, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 137962, directing notice of filing Assessment 2569, and of time and place of hearing, for paving and otherwise improving Seminole Drive, Acorn Street, et al., Resolution of Intention 131337, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 137963, directing notice of filing Assessment 2570, and of time and place of hearing, for paving and otherwise improving 33rd Street, Ash Street, "A" Street, Resolution of Intention 131889, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING IMPROVEMENT 137964, for furnishing electric energy in El Cajon Boulevard Lighting District 2, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted. It is for 1 year from and including March 1, 1957.

RESOLUTION ORDERING IMPROVEMENT 137965, for furnishing electric energy in Talmadge Park Lighting District 2, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted. It was for 1 year from and after March 1, 1957.

RESOLUTION ORDERING IMPROVEMENT 137966, for furnishing electric energy in University Avenue Lighting District 2, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted. It was for 1 year from and including March 1, 1957.

2/26/57

RESOLUTION 137967, ascertaining and declaring wage scale for paving and otherwise improving Alley in Congress Heights Addition, Beryl Street; Public Rights of Way, Lots 171 and 172 Congress Heights Addition, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137968, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 248 Pacific Beach, Lamont Street, Thomas Avenue, Public Right of Way Lot 38 Block 248 Pacific Beach, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137969, ascertaining and declaring wage scale for paving and otherwise improving Alleys Blocks 258 and 263 Pacific Beach, Bayard Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137970, approving diagram of property affected or benefited by work of improvement to be done on installation of sewers in Avenida de la Playa, and Public Rights of Way in Pueblo Lot 1280, Resolution of Intention 134641, and to be assessed to pay expenses thereof; directing Clerk at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137971, approving diagram of property affected or benefited by work of improvement to be done on installing drain in 60th Street, University Avenue, Chollas Road and Public Rights of Way, Resolution of Intention 132785, and to be assessed to pay expenses thereof; directing Clerk at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137972, authorizing Street Superintendent to grant Griffith Company a 90-day extension of time for completion of contract for improvement of Morena Boulevard, Paul Jones Avenue, Ethan Allen Avenue, Princeton Avenue, etal., Resolution of Intention 129064, under Document 548706, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137973, determining that public interest and necessity demand acquisition and construction of certain municipal improvement - civic theatre, with vehicle parking therefor, to be located within area in Balboa Park bounded by Park Boulevard, Morley Field Drive, Florida Street, Laurel Drive - for operas, musical events, shows; stating that improvement is necessary and convenient to carry out objects, purposes and powers of The City; estimated cost of the improvement is \$3,500,000; cost of improvement is and will be too great to be paid out of ordinary annual income and revenue of the City; and that the municipal improvement requires expenditure greater than amount allowed for it by the annual tax levy, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.  
The resolution says that the Council intends to submit to

2/26/57

qualified voters of the city at a special election to be consolidated with the municipal general election to be held in the City on April 16, 1957, a proposition for issuance of \$3,500,000 bonds of the City to pay the cost of the municipal improvement, and the proposition to appear upon the ballot shall read substantially as follows:

CITY OF SAN DIEGO CIVIC THEATRE BONDS: Shall the City of San Diego incur a bonded indebtedness in the principal sum of \$3,500,000 for acquisition and construction by the city of a municipal improvement: a civic theatre, with vehicle parking, to be located within an area in Balboa Park, bounded on the west by Park Boulevard, on the north by Morley Field Drive, on the east by Florida Street, and on the south by Laurel Drive; to be used for operas, musical events, shows, pageants, public gatherings and other public uses, and to include radio and television facilities, movie projection booth, equipment, furniture and furnishings, and all incidental facilities necessary therefor, and said improvement to include the construction of public utilities, paving, drains, sewers, walks, drives, and all other works, structures, and facilities necessary therefor.

RESOLUTION 137974, stating that the City will, in event easements cannot be obtained to facilitate immediate construction of Morena Boulevard Extension from Balboa Avenue to Convair Warehouse Site on Lots 1778 and 1787 in Rose Canyon, institute pre-emptory condemnation proceedings to provide immediate rights of way for public road from Balboa Avenue to Warehouse Site, adjacent to easterly right of way of Atchison, Topeka and Santa Fe Railroad Company, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Harbor Commission, by John Bate, dated 20 February 1957, enclosing for approval by the City Council of form of lease covering premises on Byron Street, being leased to Jack Davis, Jr. for 5 years with 1 5-year option, effective 1 February 1957, was presented.

RESOLUTION 137975, ratifying, confirming and approving lease, copy on file in office of City Clerk as Document 548559, between The City of San Diego, acting by and through Harbor Commission of the City, as Lessor, and Jack Davis, Jr., as Lessee, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Harbor Commission, by John Bate, dated 19 February 1957, enclosing for approval by the City Council of form of tideland lease with Shell Oil Company covering their premises near Foot of Crosby Street; lease replaces present one which expires 28 February 1957 - for term of 5 years with 2 5-year options to renew, was presented.

RESOLUTION 137976, ratifying, confirming and approving lease, copy on file in Office of City Clerk as Document 548567, between The City of San Diego, acting by and through Harbor Commission of the City, as Lessor, and Shell Oil Company, a corporation, as Lessee, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Harbor Commission, by John Bate, dated 20 February 1957, enclosing for approval by the City Council of form of tideland lease to be entered into with Southwest Onyx & Marble Company; lease replaces a 15-year lease which expired on 31 October 1956, for 5 years with no options to renew, was presented.



2/26/57

RESOLUTION 137977, ratifying, confirming and approving lease, copy on file in Office of City Clerk as Document 544932, between The City of San Diego, acting by and through Harbor Commission, as Lessor, and Southwest Onyx & Marble Company, a corporation, as Lessee, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Harbor Commission, by John Bate, dated 19 February 1957, enclosing for approval by the City Council of form of Lease covering shore boat operations on San Diego Bay with United Water Taxi Company; for term of 5 years with 1 5-year option to renew, effective 1 January 1957, was presented.

RESOLUTION 137978, ratifying, confirming and approving lease, copy on file in Office of City Clerk as Document 548562, between The City of San Diego, acting by and through Harbor Commission of the City, as Lessor, and United Water Taxi Company, a California corporation, as Lessee, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137979, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of El Cajon Boulevard, 52nd and 54th Streets; establishing Parking Meter Zones; directing City Manager to cause Parking Meters to be installed and cause Parking Meter Spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137980, declaring intersection stop: MAIN STREET and SIGSBEE STREET, affecting northerly bound traffic on Sigsbee Street and easterly bound traffic on Main Street; authorizing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 137981, authorizing and directing <sup>lights</sup> San Diego Gas & Electric Company to install a 6000 lumen overhead street <sup>lights</sup> at each of 6 locations, in accordance with recommendation of City Manager, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137982, 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 17 Rancho Mission, 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 the property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137983, 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 Ex-Mission Lands of San Diego (commonly known as Horton's Purchase), 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 the property be cancelled; authorizing and directing Property Supervisor to take whatever

2/26/57

steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137984, 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 Northeast Quarter Lot 15 of portion of Ex-Mission Lands of San Diego, commonly known as Horton's Purchase, 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 the property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137985, 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 263, ~~commonly~~ known 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 the property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137986, authorizing City Treasurer to purchase up to \$10,000,000 United States Treasury Bills, due within 91 days, offering interest return of not less than 2%, to be purchased from inactive funds and in such maturities as may fit into the City Treasury funds management; authorizing and directing City Treasurer to sell all or such amount of said investments whenever additional cash is required for purpose for which funds were originally accumulated and placed in the Treasury of the City, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 137987, authorizing and directing Property Supervisor to advertise for period of at least 5 consecutive days in the official newspaper of the City, sale at public auction of northeasterly 1/2 of Lots 1 to 5 inclusive, and Lots 17 and 18 Block 79 Middletown Addition; reason for selling real property is that it is no longer needed for City purposes, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted. Resolution says that Anderson Offcutt, 2225 Guy Street, San Diego, has petitioned the Council to put the property up for sale, and has deposited with Property Supervisor \$150.00 to cover costs pertaining to the sale, including cost of title report, and as guaranty that depositor will at the sale bid minimum amount fixed by the Council, as required by San Diego Municipal Code, and City Manager has recommended that land be sold. It says that land is no longer needed for City purposes; appraisal is \$1000.00; minimum amount Council will consider for sale is \$1000.00. Council reserves right to reject any and all bids; all expenses in connection with the sale shall be deducted from proceeds.

RESOLUTION 137988, accepting quitclaim deed of Walter M. McKellar, 1685 Torrey Pines Road, La Jolla, February 11, 1957, quitclaiming to The City of San Diego, water mains and appurtenant structures either within or without subdivision named Torrey Heights; 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.

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

ORDINANCE 7350, adopting public building plan establishing site of Civic Theatre as part of the Master Plan of The City of San Diego, particularly affecting area lying adjacent to easterly line of Park Boulevard between Morley Drive and Laurel Street - on which Planning Commission re-affirmed its former action - plan filed under Document 548539, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Williams, Kerrigan.

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 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 7351 (New Series), appropriating \$52,400.00 out of Sewer Trunk Extension (231) for paying City's share of Tecolote Canyon Northerly Trunk Sewer, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Williams, Kerrigan.

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 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 7352 (New Series), appropriating \$25,200.00 out of Capital Outlay Fund for installing traffic signal and safety lighting systems on portions of Montezuma Road, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Williams, Kerrigan.

The agenda listed 6 ordinances establishing grades:

- a) Collingwood Drive;
- b) Jewell Street;
- c) Jewell Street (a second one);
- d) Lauretta Street;
- e) Loring Street;
- f) Lauretta Street (a second one)

On motion of Councilman Curran, seconded by Councilman Evenson, they were returned to the City Manager.

On motion of Councilman Evenson, seconded by Councilman Curran, Ordinance repealing Ordinance 6431 (New Series) adopted March 10,

2/26/56

1955 (incorp por Lot 13 New Riverside into R-1 Zone, and repealing Ord 5890 N.S. insofar as it conflicts), was introduced, by the following vote: Yeas-Councilmen Burgener, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Williams, Kerrigan.

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

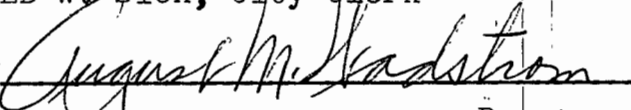
On motion of Councilman Schneider, seconded by Councilman Burgener, Ordinance authorizing sale and conveyance of westerly 150 feet of Pueblo Lot 1275 and all of unnumbered Pueblo Lot sometimes referred to as Pueblo Lot 1185, upon terms and conditions as may be deemed by the City Council to be in the best interests of the people of The City of San Diego, was introduced, by the following vote: Yeas-Councilmen Burgener, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Williams, Kerrigan.

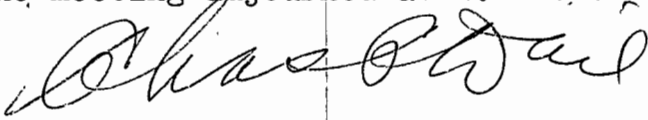
There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 2:11 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

  
Deputy

  
Mayor of The City of San Diego,  
California

Ord intr. - under U.C.  
Meeting adjourned

2/28/57

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, February 28, 1957

Present-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson-  
Absent---Mayor Dail (in Washington, on City business)  
Clerk---Fred W. Sick

In the absence of the Mayor, Vice Mayor D. D. Williams, Jr.,  
called the meeting to order at 10:08 o'clock A.M.

Ordinances and Resolutions for this meeting are recorded on  
Microfilm Roll 126.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on rezoning portion Lot 18 La Mesa Colony, from R-1 to R-4, at northwest corner of Seminole Drive and Acorn Street, report of Planning Commission, by P. Q. Burton, was read to the Council by the Clerk. It says that subject property is occupied by 2 single-family dwellings fronting on Seminole Drive, with rest of area proposed to be rezoned being vacant - bounded on north by vacant R-1 property except for 1 dwelling immediately adjacent on Seminole Drive; land to north is used as golf driving range, was presented. It describes development in the area, and says that proposed R-4 would abut existing R-4 for about 85 feet, and R-2 zoning for distance of approximately 140 feet. It says that in addition, there is a drive-in theater west of subject property on 62nd Street and Safeway store north of subject property between Seminole Drive and El Cajon Boulevard. It says that 3 property owners on Seminole Drive objected "on very substantial grounds (which are set out in the communication). It states that the Commission heard the proponent of the rezoning, and Martin Capp, 4561 Seminole Drive, and then voted 5-0 to recommend that area be rezoned but modified by including in the R-4 zone, the westerly 290 feet of portion of Lot 18 La Mesa Colony lying north of Acorn Street, which leaves approximately 100 feet of R-1 zone between Seminole Drive and proposed R-4 zone, subject to filing subdivision map within 1 year. The report states that property is presently zoned R-1 under Ordinance 13558.

Mrs. E. Gegax read a petition of protest, which she filed. She showed on a map the present and proposed zoning, and expressed views. She said she does not want to make a property: R-1 home in R-4 zone. She said that "people want it kept R-1". She said she does not want to have to move, and be crowded out by new comers.

A woman whose name was not understood (said Mrs. George...) said that she is not in favor of the change; children play in the street. She said that it is ideally situated as a home. She asked that it be left R-1.

Mrs. Michael Capp said that reasons given (in opposition) by her husband to Planning still stand. She said that this would be an opening wedge for more rezoning.

There was discussion by Councilmen with several unidentified women, over a map, and with Richard Weiser, Asst. Planning Director.

Mrs. Orr, a property owner in the area, on Virginia Street, said that there is a school close, and that business is not desirable because of increased traffic (R-4 would not permit businesses). She said that "El Cajon is a business district; more is not needed".

Councilman Kerrigan held a discussion with Mrs. Orr, and said he had telephone calls "on both sides".

Meeting convened  
Hearing

Mrs. Orr said that R-4 change would make it possible to have businesses".

Councilman Kerrigan said "no".

Mrs. Kuttich, on Catherine Street, said she wanted the area left residential.

Molly Capp identified herself as a college student, and said that the college is surrounded by canyons. She said "residential area around the College is needed". She said this should be kept R-1, and added that she lives with her family.

Mrs. French said that there is quite a traffic problem, and that apartments are not going to help. She said that the area is secluded from El Cajon Boulevard, and she wants to keep it residential. She said that churches create problems, too.

Councilman Schneider said that it takes 5 votes of the Council to overrule the Planning Commission; the Mayor is absent; it might be well to postpone this item.

Councilman Kerrigan asked if all this evidence was presented to the Planning hearing. He told of having heard nothing, until last Sunday.

Mrs. Capp said that her husband did appear at the Planning hearing, and the proponent for the rezoning had brought the matter of the proposed shopping center.

Councilman Kerrigan asked if this might be referred back to Planning.

Ty Tyson (the petitioner for the rezoning) said that this had been before Planning, and that the 3 people who objected live 150 feet from the edge of the property. He spoke of having signatures on his petition. He said "most of the objection is from people who are 3 to 5 blocks away". Mr. Tyson told of having a letter from the owner of 17 acres, who offers no objection. He spoke of parking, by way of paved alley into car ports that would be provided. He said there would be 42-1/2 diagonal parking spaces for tenants. (possibly the 42-1/2 was "feet"). He said that most of the traffic would be on 62nd Street. He said that by excluding 100 feet it will not help 2 houses that will be pulled off. He spoke of the 2 residences as being 200 ft x 240 ft. He said that this would be close to other apartments and units. He said that of 3 objectors "we don't face them".

Councilman Kerrigan spoke of petition of about 250 names (in opposition, which had been mentioned earlier in the hearing), and that Planning has not had the opportunity to analyze it.

Mr. Tyson said that when request is made for rezoning, signatures have to be obtained. He said there are "only 3 who are close". He said that this is too expensive property to cut up into R-1.

Councilman Schneider referred to 14 people in apartments near his home, who have no place - as their apartments - to put their cars. He said St. Patrick's church is there, causing more parking problems.

Mr. Tyson said that off-street parking is being provided.

Councilman Kerrigan said that there is only way that it can be rezoned: the Council has to vote. He reviewed the procedure. He asked Mr. Tyson if it would be an inconvenience to continue this hearing 1 week. He spoke, again, of having had calls on both sides of the issue.

Councilman Kerrigan was answered by Mr. Tyson, by saying that "plans are set up; there is a tight schedule on account of financing."

Councilman Kerrigan stated that he wants the protest analyzed.

RESOLUTION 137989, continuing hearing on rezoning portion Lot 18 La Mesa Colony, from R-1 to R-4, at northwest corner of Seminole Drive and Aorn Street until 10:00 o'clock A.M., Thursday, March 7, 1957, was on motion of Councilman Schneider, seconded by Councilman Kerrigan.

Councilman Burgener said that "the Council will probably look at it".

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



2/28/57

hearing on rezoning portion of Pueblo Lot 1240 from R-1 to RC-1A, in Shattuck Highlands, located north of Luna Avenue at Gallatin Street, report of Planning Commission, by P. Q. Burton, was read to the Council by the Clerk. It says that portion of land to be subdivided as portion of Shattuck Highlands is located north of Luna Avenue at Gallatin Street - for a small neighborhood shopping center. It reviewed past proceedings on the property, and said that the Planning Department made these observations:

Site is not suitable for commercial purposes;  
Small neighborhood shopping area is still needed in the vicinity;  
There appears to be no land available in a more suitable

location.

The Department recommended approval subject to filing of subdivision map, including complete grading and compaction plans for the filled area. The report tells of objections, and the reasons therefor. It states that after hearing both sides, the Planning Commission, on motion to grant request for rezoning, voted 2-0, which in effect constituted a denial by 3-2; the proposed rezoning is shown on Drawing B-765. It says that property is now R-1 under Ordinance 13456.

Fred Landgraf, attorney for Mr. Shattuck, was heard. He said that Mr. Shattuck purchased the land from the City "at a substantial price". He agreed that it was R-1 property. He said that experts had been retained to report on the highest and best use.

Beryl Phelps, attorney, explained a large map which was placed against a wall, and from a small map which was passed around to members of the Council, and then explained the Shattuck subdivision maps. He told of Shattuck agreements in front of a small shopping center, and pointed out the nearby lots and the nearest shopping center. He said that there is need for the shopping center, and that request is not for something unusual.

J. R. Shattuck, purchaser of the property from the City, the subdivider, and builder of homes on the property, spoke. He said he had obtained 10 or 14 signatures (in favor) and that he had changed his mind to the opposition. He stated that there is a need in the area for the proposed development. He said that he had talked to sources regarding leasing commercial properties, and of a willingness.

Councilman Schneider spoke to Richard Weiser, Asst. Planning Director, about the 3-2 vote.

Mr. Weiser stated that the 3-2 vote was because of the traffic pattern. He explained from a map what recommendations of the Planning Department (not the Commission) were. He said that they were not adopted, "but homes were built". He said that explanation had been made to the Commission, which still voted 3-2. According to him, it lost.

Councilman Kerrigan said that there is therefor no recommendation from Planning.

Alan Firestone, Deputy City Attorney, said that "it amounts to denial".

Councilman Kerrigan said that the only action the Council could take today would be to have the ordinance prepared.

Councilman Schneider moved to request the City Attorney to "draw the ordinance".

Edwin Ferguson, who stated that he "works for Burgener-Tavares Construction", was heard. He said that the company is against the shopping center; the North Center is 1.2 miles; another is 1.2 miles (away). He said there is opposition from the owners. He said that future development will provide sufficient shopping center, in that large businesses have been attracted. He said that it would ruin lots and homes to widen Gallatin.

Mr. Weiser said that it would not encroach.

Councilman Kerrigan said that there is a wide parking area.

Councilman Burgener was excused.

Councilman Kerrigan discussed with Mr. Ferguson the Burgener-Tavares property, shopping centers, and zone changes.

Mr. Ferguson said that Burgener-Tavares had decided against a small shopping center, because it would eventually fail, and deteriorate.

2/28/57

Mr. Landgraf disagreed with Mr. Ferguson's statement, by saying that "it would bring about competition".

The Vice Mayor said that the Council is "not interested in competition; only the proper zoning".

Mr. Landgraf said that neighborhood survey had been made, and that there were petitions of property owners. He said that there is demand in the area for a shopping center. He said that Mr. Shattuck has added 300 lots, so there will be more demand. He filed a petition.

RESOLUTION 137990, requesting City Attorney to prepare and present necessary ordinance to rezone portion of Pueblo Lot 1240 from R-1 to RC-1A in Shattuck Highlands, located north of Luna Avenue at Gallatin Street, for presentation at meeting of March 7, 1957, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on rezoning Villa Lot 341 University Heights, from R-2 to R-2, on west side of Maryland Street, south of Maryland Place, the Clerk reported no protests. No verbal protests were made, and no protests were filed.

The Planning Commission voted 5-0 to recommend approval of R-4 as shown on Drawing B-766.

Ordinance incorporating Villa Lot 341 University Heights into R-4 zone, as defined by Section 101.0408 of San Diego Municipal Code, and repealing Ordinance 12988 insofar as it conflicts, was introduced, on motion of Councilman Kerrigan, seconded by Councilman Schneider, by the following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Burgener, Mayor Dail.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on establishing a minimum front setback of 30 feet for Lots 1 - 4 inclusive Block 3 College Park Unit 1, on north side of Montezuma Road from Campanile Drive, westerly, the Clerk reported no protests. No verbal protests were made, and no protests were filed.

The Planning Commission voted 6-0 to recommend establishment of the 30-foot setback.

Ordinance establishing 30-foot setback line on north side of Montezuma Road, Lots 1 to 4 inclusive Block 3 College Park Unit 1, was introduced, on motion of Councilman Schneider, seconded by Councilman Evenson, by the following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Burgener, Mayor Dail.

The continued hearing on request of John D. Butler, attorney, relative to claim of J. B. Jennings, 3012-20-26 Jefferson Street, regarding Water Department invoices 06939 and 60940, Alan Firestone said that opinion had been given in conference. He said "there is no legal basis to excuse".

Councilman Burgener returned to the meeting

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

Resolution accepting bid of Smith Booth Usher Company, Division of Western Machinery Company, for furnishing 1 600 cu. ft. capacity Jaeger Model 600 "roto" Compressor at \$13,449.00 plus State Sales Tax, less \$450. trade-in allowance - 7 bids - was presented.

John Bate, Port Director, questioned on this item, explained it, saying there is a permanent need for the equipment; it is for dual use, and item has been budgeted.

Hearings

Purchasing report & explanation

Richard Steck asked how much was involved. He was told.

RESOLUTION 137991, authorizing and instructing Majority of Members of Harbor Commission to enter into and execute on behalf of The City of San Diego a contract with Smith Booth Usher Company, Division of Western Machinery Company, for furnishing Compressor pursuant to specifications on file in office of City Clerk, was on motion of ~~137991/137991~~ Councilman Schneider, seconded by Councilman Burgener, adopted.

The resolution also accepts the bid, and awards the contract.

Before the roll call was announced, Councilmen Curran and Evenson, who had voted "Nay", changed their votes to "yea".

Report of Purchasing Agent on sole bid of Acorn Press for furnishing printing of posters, as may be required, during 6-month period, March 1, 1957 through August 31, 1957, including option to renew for an additional 6 months, was presented. Report was approved by City Manager. It says that bids were solicited from 8 prospective bidders, but a single bid was received. He said that posters such as "Notice of Improvement", "Notice of Zone Hearing", that special press is required because of size and make-up of the posters, and such printing cannot be accomplished by the City Print Shop.

RESOLUTION 137992, accepting bid of Acorn Press for printing posters for 6-month period, including option; 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, approved by City Manager, reporting on 2 bids for furnishing Cash Registers for Balboa Park and Torrey Pines Golf Courses, was presented. It states that Park and Recreation Director recommends rejection of low bid of Bell Cash Register Service bid for furnishing "Sweda" machines, due to fact that they are not adequate and will not serve the purposes for which they are intended, and that he recommends award to National Cash Register Company - \$3,435.00 terms net, plus Tax.

Asked for a report, the City Manager explained the subject to the Council.

RESOLUTION 137993, accepting bid of The National Cash Register Company for furnishing 2 "National" Cash Registers; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137994, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 6 Items of Fixed and Mobile Radio Equipment, under Document 548799, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 137995, authorizing and directing Purchasing Agent to issue Change Purchase Order adding 5 pieces of Sheet Steel Piling as shown on Purchase Order 7254, at total increased cost of approximately \$1,200.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 137996, authorizing and directing Purchasing Agent

to advertise for sealed proposals or bids for furnishing 154 pieces Sheet Piling, for 10th Avenue Marine Terminal, under Document 548800, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

In connection with the next resolution, John Bate, Port Director, explained that action proposed would save \$4,000; it is not part of the contract. Asked a question, Mr. Bate said that money is saved on small jobs, which are not advertised for bids.

Councilman Schneider said this is on the assumption of another service item.

Richard Steck said that contractors would like to work their equipment. This applies to Resolution listed, which follows.

RESOLUTION 137997, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for paving small plane tie down area - Lindbergh Field; Document 548712; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Councilman Schneider moved to adopt the next resolution.

Councilman Curran said that he had a question.

John Bate explained it.

RESOLUTION 137998, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of asphalt concrete permitter Road - South Side of Lindbergh Field; Document 548713; 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 Purchasing Agent, approved by City Manager, reporting on sale by sealed bids of 4 houses, 5 buildings, 2 metal structures, and water tank and tower, was presented. It says that total of \$2,956.26 received from the sale has been deposited with City Treasurer.

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

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

Enlarging upon the City Manager's statement, Alan Firetone, Deputy City Attorney, said that "it is a new place".

Communication from Purchasing Agent, approved by City Manager, stating that the Purchasing Agent solicited bids for sale of Grocery and Market Equipment located at 5049 Imperial Avenue, was presented. It says that \$2,800.00 received from the sale has been deposited with City Treasurer.

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

There was listed on the agenda continued item, ~~THAT~~ communication from Planning Commission submitting Resolution approving tentative map of Mission Valley Ball Park, a 2-lot subdivision of Lots 3 and 4 and portion Lot 5 E. W. Morse's subdivision and portions of Pueblo Lots 1105 and 1174.

James F. Mulvaney, president of San Diego Padres, told the Council of "now being in agreement". He said house and garage would

be excluded. He said that Planning recommendation is to deli-ate (that property) lot on the map. He stated that "the attorney says that can be included in the covenant".

Councilman Kerrigan moved to approve the tentative map of the subdivision. Motion was seconded by Councilman Schneider.

Councilman Kerrigan said that map should be prepared.

Alan Firestone said this should be continued - subject to points raised.

The Vice Mayor said that the "resolution should be modified, and be referred to Planning to work out".

RESOLUTION 137999 - requesting Planning Commission to modify the proposed Resolution approving tentative map of Mission Valley Ball Park, a 2-lot subdivision, to delete the house and garage, and to provide for agreement in connection with the flood control area, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Final Map of Bellaire Terrace Unit 2, a 64-lot subdivision located in north Clairemont area, subject to posting bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 138000, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Bellaire Building Company, a partnership, for installation and completion of unfinished improvements and setting of monuments required for Bellaire Terrace Unit 2 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 138001, adopting Map of Bellaire Terrace Unit 2 Subdivision, a portion of Pueblo Lots 1241 and 1242; accepting on behalf of the public Ovid Place, Caywood Street, DuBois Drive, Appleton Street, Gale Street, Cole Street, and easements shown for sewer, water, drainage and public utilities, 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 Council has approved the subdivision map and that streets and easements shown for sewer, water, drainage and public utilities, are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of revised Tentative Map of Marmil Park, a 81-lot subdivision of portion Lot 12 Rancho Mission, located on northerly side of Lisbon Street at intersection with Jamacha Road, subject to conditions - 14 in number, and suspension of portion of Municipal Code, was presented.

RESOLUTION 138002, approving revised tentative map of Marmil Park; suspending portion of Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Record of Survey in lieu of final subdivision map, for 2 lot-resubdivision of portion Lots 34 & 35 Block 12 Tres Lomas, in Paradise Hills area, was presented.

RESOLUTION 138003, approving filing of Record of Survey Map of portions of Lots 34 and 35 Block 12 Tres Lomas, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

2/28/57

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Ozark Terrace, 1-lot subdivision located north of Imperial Avenue and east of 49th Street, fronting on Ozark Street, subject to posting bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 138004, adopting Map of Ozark Terrace Subdivision, being subdivision of portion Lot 42 Ex-Mission Lands of San Diego (commonly known as Horton's Purchase); accepting on behalf of the public portion of Ozark Street and easements shown for sewer, water, drainage and public utilities, for public purposes; dedicating them to the public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that Council has approved the subdivision map and that portion of street and easements shown for sewer, water, drainage and public utilities are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

There was continued to this day's agenda, an item from the City Attorney - from previous meetings - relative to Superior Court Action #212371: Frost et al. vs. The City of San Diego, for commercial use of property in Pueblo Lots 1202 and 1203 in triangle adjacent to Sharp Memorial Hospital.

On motion of Councilman Curran, seconded by Councilman Kurran, the item was continued again - for 1 week, to Council meeting of March 7, 1957.

Communication from Rock Zaitzow, Deputy City Attorney, approved by J. F. DuPaul, City Attorney, dated February 25, 1957, was presented. It is "Re: Vocal Solicitations from Business Establishments". It says that the Council has requested investigation and recommendations by the City Attorney's office regarding complaints concerning such solicitations. It says that the Chief of Police has been contacted and apparently most of the complaints result from business establishments on Broadway soliciting Navy personnel for business. The communication states that "such solicitations on the street are presently governed by valid ordinances in the Municipal Code". In addition to discussing the situation it says "In conclusion, the type of conduct sought to be controlled by the Council could not be controlled in a valid and constitutional manner".

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

Communication from California Roadside Council, dated February 21, 1957, 12 Garces Drive, San Francisco 27, , by Lawrence Livingston, Jr., was presented. It requests support of Senate Bill 666 (copy enclosed).

RESOLUTION 138005, referring communication from California Roadside Council to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Ed Fletcher Company, 1020 - 9th Avenue, San Diego 1, by Stephen G. Fletcher, president, dated February 27, 1957, was presented. It tells of need for widening and improving Palm Avenue, near Aero Drive, and submitting petition of approximately 175 land owners and residents requesting widening and paving. On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was referred to the City Manager.



Communication from Murry Luftig, attorney, 1220 Bank of America Bldg., San Diego 1, dated February 21, 1957, was presented. It tells of an open, unfenced swimming pool a short distance from his house at 5310 Penny Place, which "presents an irresistible temptation to the children of the neighborhood. It speaks of the Los Angeles city ordinance which requires pool fencing. The communication "Would you please place this matter on your council agenda and notify me as to the date of such hearing in order that I might appear on this matter?"

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

Communication from San Diego & Arizona Eastern Railway Company, 45 12th Avenue, San Diego 2, California, dated Feb 25, 1957, signed by C. M. Eichenlaub, was presented. It refers to letter of November 8, 1956, which made application for franchise to cover construction of industrial spur track to serve San Diego Flooring Company in Lots 6 and 7 Victory Manor. It says that the company has advised it is abandoning the project to move onto the property, and application is withdrawn.

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

Communication from San Diego City-County Band & Orchestra Commission, 200 Civic Center, by Cletus W. Gardner, Executive Secretary, dated February 26, 1957, was presented. It submits budget, requesting \$5,000 from the City for the next fiscal year; similar request is to be made to the County, and that \$10,000. is available from the Trust Funds of the Recording Industries.

Councilman Evenson moved to file.

RESOLUTION 138006 referring communication from San Diego City-County Band and Orchestra Commission to Budget Conference, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from San Diego County Council of Churches, 3901 Lomaland Drive, San Diego 6, dated February 25, 1957, by Dr. Wayne A. Neal, executive Secretary, was presented. It tells of having had copies of the Equal Employment Opportunity Ordinance, and tells of Resolution of approval which has been passed.

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

Communication from Planning Commission, by Richard L. Weiser, recommending reapproval of Final Map of Elliott Gardens, located in Loma Portal area at end of Elliott Street, northwesterly of Plumosa Park, was presented.

RESOLUTION 138007, adopting Map of Elliott Gardens Subdivision, a subdivision of southeasterly 190 feet of portion of Pueblo Lot 211; accepting behalf of the public Elliott Street, portions of Alleys and Easements shown for public purposes, dedicating to public use; rejecting as a dedication for public street portion shown as "Reserved For Future Street"; directing City Clerk to transmit map to Clerk of Board of Supervisors, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Police Relief Association, Inc.,

2/28/57

Police Headquarters, P.O. Box 1431, San Diego 12, by Robert G. Kilpatrick, dated February 21, 1957, was presented. It requests use of Mission Beach Ballroom for the Association's Annual Ball.

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

Communication from San Diego Transit System, 235 Broadway, San Diego 12, California, dated Feb. 23, 1957, by James C. Haugh, Vice President and General Manager, was presented. It submits copy of application to the Public Utilities Commission, State of California, for new Certificate of Public Convenience and Necessity to consolidate its present stage operative rights.

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

RESOLUTION 138008, authorizing Street Superintendent to grant A. W. Thorps, a 30-day extension of time for completion of contract for improvement of portion of Grape Street, Sultana Street, and 54th Street, Resolution of Intention 129188, recommendation filed as Document 548707, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication from Harbor Commission, requesting the Council to pass resolution authorizing work (contractual assistance) for paving small plane area at Lindbergh Field - \$4,000.00 estimated - was presented.

RESOLUTION 138009, authorizing and empowering Port Director to do all work in connection with contractual assistance for work on Lindbergh Field, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138010, finding, from evidence presented and from reports of investigation that there has for some time existed in County of San Diego a period of continued drought of such character as to create an acute water shortage in all available sources of water, and as a result The City of San Diego will not be able to obtain sufficient water to supply maximum needs of Del Mar Utilities Incorporated, as provided for in basic contract of December 1955, and that it will be necessary in the immediate future to limit amounts of water supplied to the Del Mar Utilities, Incorporated in proportions and amounts and to the extent authorized by the contracts (described in the Resolution); authorizing and directing City Clerk to serve or cause to be served certified copy of the resolution on officers of Del Mar Utilities, Incorporated, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

(The resolutions are being transmitted by the Water Director's office).

RESOLUTION 138011, giving permission and consent to J. A. Arey, et al., to start proceedings to annex Rosedale-Rancho Mission Tract to The City of San Diego, subject to outstanding obligations of The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138012, declaring one-way alley:

Alley between College Place and Montezuma Road, affecting northbound traffic;  
authorizing and directing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138013, authorizing City Manager to execute, on behalf of the City, amendment to contract between City of San Diego and William P. Bell and Son for services as golf course architects, copy of contract under Document 548880, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138014, authorizing and empowering City Manager to execute lease with Daley Corporation of about 330 acres in Rosedale Subdivision lying east of Montgomery Field, for 5 years beginning February 21, 1957, for agricultural purposes and grazing of livestock, under Document 548882, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138015, authorizing and empowering City Manager to execute lease with Justine B. Fenton for 370 acres of the 2900 acre Fenton Purchase for stock grazing, dairy or other agricultural uses, except commercial hog or goat production, for 10 years beginning August 29, 1957, under Document 548883, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138016, authorizing and empowering City Manager to execute, for and on behalf of the City, a Pipeline License with Atchison, Topeka and Santa Fe Railway Company, licensor, granting to the City license to construct and maintain 12" water main southerly of Clayton Street and southerly of Washington Street easterly of Pacific Highway, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138017, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lots 22, 23, 24 Block 249 San Diego Land and Town Company's South Chollas 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 the property be cancelled; and that the Property Supervisor 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 138018, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against westerly 40.00 feet Lot 4 Block 1 Loma Valley, 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 the property be cancelled; and that the Property Supervisor 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.

2/28/57

RESOLUTION 138019, authorizing and directing City Manager to serve written notice upon Stadium Racing Association, Inc., as lessee of the Municipal Stadium, that it shall surrender to the City of San Diego the use of the Municipal Stadium during period commencing June 5, 1957 through June 8, 1957 (during which period it is to be used for public functions), under Paragraph 4 of agreement between The City of San Diego and lessee filed as Document 496167, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138020, authorizing and directing City Manager to serve written notice upon Stadium Racing Association, Inc. as lessee of the Municipal Stadium that it shall surrender to the City of San Diego use of the Municipal Stadium during period commencing July 5, 1957 through August 18, 1957 (during which period it is to be used for public functions), under Paragraph 4 of agreement between The City of San Diego and lessee filed as Document 496167, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138021, authorizing and empowering Mayor and City Clerk of the City to execute for and on behalf of the City, quitclaim deed quitclaiming to H. H. Peterson and Emily Peterson a portion of Pueblo Lot 256, under form bearing Document 548884; authorizing and directing City Clerk to deliver deed to Property Supervisor with instruction to complete transaction; that all expenses in connection with sale shall be deducted from proceeds from the sale, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that bids were received February 21, 1957 at which H. H. Peterson submitted the only bid: \$750.00, which was the minimum amount the Council fixed for sale of the property; it declares H. H. Peterson to be the highest bidder.

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RESOLUTION 138023, authorizing City Attorney to settle claim \$45.76, of Miles and Arkie M. Dunlap, Document 546882, for sum of \$34.50; directing City Auditor & Comptroller to draw his warrant in favor of Miles and Arkie M. Dunlap, 4361 Bancroft Street, San Diego, in full settlement of the claim, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

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RESOLUTION 138022, approving claim of Pacific Telephone and Telegraph, Document 545074; authorizing City Auditor & Comptroller to draw warrant in favor of Pacific Telephone and Telegraph Co., Office of Chief Special Agent, C. P. Peters, Room 510, 520 West 7th Street, Los Angeles 14, California in full payment of the claim - \$83.17 - was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138024, vacating easement and right of way for drain in portion Lots 23 and 24 Block 89 E. W. Morse's Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution says that on June 15, 1916 the City acquired the easment; drain was constructed and maintained within the easement until 1926; in 1926 the drain was abandoned by the City and easement has not been used for purpose for which acquired from 1926 to date of this resolution, and has not been used for 5 consecutive years next preceding date of the resolution; easement is unnecessary for present or prospective public use; that from and after date of order of vacation, title ~~was~~ ~~was~~

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 the resolution, attested by him under seal, to be recorded in office of County Recorder of County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138025, accepting subordination agreement, executed by Thomas A. Miller, beneficiary, and The First National Trust and Savings Bank of San Diego, trustee, February 8, 1957, subordinating all their right, title and interest in and to easement for right of way for public alley and incidents thereto, in portion of Lot 24 and street closed adjacent, Block 16 La Mesa Colony Townsite; authorizing and directing City Clerk to file subordination agreement, 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 138026, accepting subordination agreement, executed by Irene Hunt and Marjorie Mitchell, beneficiaries, and Security Title Insurance Co., trustee, October 30, 1956, subordinating all their right, title and interest in and to easement for right of way for public sewer and appurtenances in Lot 35 Block 5 Beverly; authorizing and directing City Clerk to file subordination agreement, 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 138027, accepting subordination agreement, executed by Standard Federal Savings and Loan Association, beneficiary, and Lawyers Title Guaranty Company, trustee, February 8, 1957, subordinating all their right, title and interest in and to easement for right of way for public street and incidents in westerly 15.00 feet Lots 44, 45, 47, 48 Block 15 Swan's Addition; authorizing and directing City Clerk to file subordination agreement, 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 138028, accepting subordination agreement, executed by Jose P. Arreguin, beneficiary, and Security Title Insurance Company, trustee, January 24, 1957, subordinating all their right, title and interest in and to easement for right of way for public street and incidents, in westerly 239.00 feet of portion of northerly 860.00 feet of Pueblo Lot 1787; authorizing and directing City Clerk to file subordination agreement, 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 138029, accepting deed of Cornelio Rodriguez, Abraham Rodriguez, Beverly Van Buskirk and Harold Logan, January 11, 1957, conveying easement and right of way for street purposes in westerly 239.00 feet of portion of northerly 860.00 feet of Pueblo Lot 1787; naming easement 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138030, accepting deed of Amelia G. Serrano, February 25, 1957, conveying Lots 18 and 19 Block 13 American Park Add

February 25, 1957, conveying Lots 18 and 19 Block 3 American Park Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138031, accepting deed of Sero Amusement Company, October 22, 1956, conveying easement and right of way for street purposes in portions Lot 17 Rancho Mission of San Diego; naming land Euclid Avenue and Federal 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 Schneider, adopted.

RESOLUTION 138032, accepting deed of Elgie D. Stauffer and Ovidia Stauffer, February 1, 1957, conveying north 40.00 feet Lot "A" Block 6 Hillcrest; 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 Schneider, adopted.

RESOLUTION 138033, accepting deed of Clairemont Company, February 6, 1957, conveying easement for right of way for drainage purposes in strip of land 8.00 feet wide in Acre Lot 132 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 Kerrigan, adopted.

RESOLUTION 138034, accepting deed of Union Title Insurance and Trust Company, February 8, 1957, conveying easement and right of way for drainage purposes in strip of land 8.00 feet in Acre Lot 133 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 Kerrigan, adopted.

RESOLUTION 138035, accepting deed of Lawrence H. Lathrop and Florence E. Lathrop, February 4, 1957, conveying easement for right of way for drainage purposes in portion Lots 17, 18, 19 Block 2 Nordica Heights, and portion of Lots 1, 2, 3 Block 12 Nordica Heights 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 Kerrigan, adopted.

RESOLUTION 138036, accepting deed of Lawrence H. Lathrop and Florence E. Lathrop, February 4, 1957, conveying portion Lot 17 Block 2 Nordica 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 Kerrigan, adopted.



RESOLUTION 138037, accepting quitclaim deed of First United Presbyterian Church of San Diego, a corporation, 722 Elm Street, Chula Vista, February 18, 1957, 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 Presbyterian Palisades; authorizing and directing City Clerk to file deed together with certified copy of resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138038, accepting deed of Stanley Picard and Jane Picard, 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 Los Altos Terrace; authorizing and directing City Clerk to file deed together with certified copy of resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138039, accepting deed of James W. Doyle and Marcella A. Doyle, December 6, 1956, conveying portion of Lots 36, 37 and 38 Block "A" Boulevard 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 Kerrigan, adopted.

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

ORDINANCE 7353 (New Series), setting aside and dedicating portions of Lots 7 to 9 inclusive Block 170 Middletown; naming same Kurtz Street; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

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

ORDINANCE 7354 (New Series), proclaiming a Municipal General Election in The City of San Diego, California, for the purpose of electing members of the Council from Districts Nos. 1, 3, 4, and members of The Board of Education (full term and unexpired term) in portion of Unified School District lying outside the corporate limits of The City of San Diego for the purpose of voting on members of the Board of Education to be elected at the Municipal General Election to be held in The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

In connection with the next ordinance, Alan Firestone, Deputy City Attorney, said that "it has been revised".

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

On motion of Councilman Burgener, seconded by Councilman Curran, reading in full prior to final passage was dispensed with by vote 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 7355 (New Series), proposing and submitting to the electors of The City of San Diego at the Municipal Election to be held in the City on Tuesday, the 16th day of April, 1957, a proposition to amend the Charter of the City of San Diego - Section 117 of Article VII - was on motion of Councilman Burgener, seconded by Councilman Curran, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

On motion of Councilman Schneider, 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 7356 (New Series), appropriating \$17,000.00 out of Unappropriated Balance Fund, for improving Municipal Golf Course in Balboa Park, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

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

ORDINANCE 7357 (New Series), establishing regulations covering use of land in portion of Lot 17 Rancho Mission, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

This is an emergency ordinance, and goes into effect and be in force from and after its passage.

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

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

ORDINANCE 7358 (New Series) establishing regulations governing use of land in portion of Lots 36 and 41 Rancho Mission of San Diego, 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 93.1517, 93.1518 and 93.1519 of San Diego Municipal Code, Regulating Fuel Gas Installations, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

RESOLUTION 138040, authorizing City Manager to negotiate with a bus or transportation company to provide transportation for students in the vicinity of Webster Elementary School - now and for a period of several weeks, have been without transportation - for period not to exceed 1 month, or until San Diego Unified School District provides transportation, whichever is sooner; empowering City Manager to enter into contract with a bus or transportation company for not to exceed 30 days, as hereinbefore provided, providing that cost of providing said transportation shall not exceed \$25.00 per day, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The resolution says that it appears that transportation (which had been suspended) is necessary to protect the children from possible bodily injury on their way to and from school because of dangerous terrain involved. It says the Council was advised that San Diego Unified School District will provide said transportation in the immediate future, but because of bidding procedures, are not able to do so for a period of between 16 days and 1 month.

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

RESOLUTION 138041, authorizing Mayor Charles C. Dail and Aaron W. Reese, Assistant City Attorney, to travel to Washington, D.C., commencing February 26, 1957, in connection with Airport Use Panel Deliberations, and to incur all necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION 138042, approving and ratifying appointment by the Mayor and Councilmen of The City of San Diego of Daryll John C. Harry Burnaugh, Mitchell Angus, Douglas R. Giddings, William S. Miller, Jr., Marion Richards and Philip L. Fiske as members of the Mission Bay Park Commission, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The next item, not listed on the agenda, was presented under unanimous consent by the Vice Mayor:

RESOLUTION 138042, approving and ratifying appointment of Daryll Johnson, C. Harry Burnaugh, Mitchell Angus, Douglas R. Giddings, William S. Miller, Jr., Marion Richards and Philip L. Fiske as members of the Mission Bay Park Commission, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

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

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Clairemont Park Unit 1, resubdivision No. 1 - resub of Lots 60 through 65, 193 through 199, located in Clairemont at southerly end, easterly of Tecolote Canyon, in order to adjust existing lot lines, was presented.

RESOLUTION 138043, approving tentative map of Clairemont Park Unit 1, Resubdivision 1, subject to all conditions of Resolution 135079 dated September 11, 1956, insofar as they apply, was on motion of Council-

Ord intr  
138040 - 138043

2/28/57

dated September 11, 1956, insofar as they apply, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Clairemont Park Unit 1, resubdivision 1, was presented. Recommendation is subject agreement to be signed by the City Manager stating that subdividers of any of the obligations which arose under original contract, Document 542987, and that completion of improvements will be completed and are supported by the original contract and bond.

RESOLUTION 138044, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with subdividers of Clairemont Park Unit 1 Resub 1, and Glens Falls Insurance Company (as mentioned above), was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 138045, adopting map of Clairemont Park Unit 1, Resubdivision 1; accepting on behalf of the public Via Bello and portion of Via Arcilla, easements shown for sewer, water, drainage and public utilities 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 the Council has approved the subdivision map and that the street, portion of street, and easements are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of East Clairemont Unit 1, subject to conditions of Resolution 135333, amended by Resolution 135813, and subject to posting of bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 138046, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Merrill Supply Co., Inc., for installation and completion of unfinished improvements and setting of monuments required for East Clairemont Unit 1; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 138047, adopting map of East Clairemont Unit 1, subdivision of portion of Pueblo Lots 1222 and 1229; accepting on behalf of the public Mt. Everest Boulevard, Mt. Durban Drive, Mt. Casas Drive, Mt. Castle Avenue, Mt. Etna Drive, Mt. Hay Drive, Mt. Gaywa's Drive, Mt. Frissell Drive and Mt. Foraker Avenue, and easements shown for sewer, water, drainage and public utilities, together with any and all abutters rights of access in and to Balboa Avenue, adjacent and contiguous to Lots 1 through 13 inclusive; authorizing and directing Clerk of the City to endorse upon the map as and for act of the Council, that the Council has approved the subdivision map and that streets and easements are accepted on behalf of the public; directing City Clerk to transmit the map to the Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Councilman Kerrigan said that there should be referred to Council Conference possible amendment to the Psychology Ordinance.

Councilman Williams, Vice Mayor, said that "power of the Council has been relegated; the Commission is not acting in the best interests".

RESOLUTION 138048, referring to Council Conference possible amendment to Psychology Ordinance, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

There being no further business, the meeting was adjourned at 11:45 o'clock A.M.  
FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Chris B. [Signature]*  
Mayor of The City of San Diego, California

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, March 5, 1957

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

Absent--None

Clerk---Fred W. Sick

The meeting was called to order by the Mayor at 10:07  
o'clock A.M.

The Mayor introduced ~~by~~ Reverend Charles Dale, Pastor of  
the First Christian and Missionary Alliance, who gave the invocation.

Ordinances and Resolutions for this meeting are recorded on  
Microfilm Roll 126.

On motion of Councilman Burgener, seconded by Councilman  
Kerrigan, Minutes for the Regular Meetings of Tuesday, February 26, 1957,  
and Thursday, Feb. 28, 1957, were approved without reading, after which  
they were signed by the Mayor.

The Purchasing Agent reported in writing on 3 bids opened  
for improvement of Alley Block 29 Fortuna Park Addition - 1911 Act - March  
1, 1957.

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

The Purchasing Agent reported in writing on 4 bids opened  
for improvement of Alley Block 269 Pacific Beach - 1911 Act - March 1, 1957.

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

The Purchasing Agent reported in writing on 4 bids opened  
for improvement of Alley Block 299 Subdivision of Acre Lots 67, 68, 76,  
80 & 81 Pacific Beach - 1911 Act - March 1, 1957.

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

Meeting convened  
Invocation  
Minutes approved  
1911 Act bid reports

3/5/57

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing electric energy in Talmadge Park Lighting District 1 for 1 year from and including March 1, 1957, the Clerk reported 1 bid.

On motion made and seconded, it was publicly opened and declared.

It was the bid of San Diego Gas & Electric Company, accompanied by certified check in amount of \$59.28 written by San Diego Gas & Electric Company.

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

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on installation of sewer mains and appurtenances in Muirlands Drive, El Camino Del Teatro, El Paso Real, Lane in Lot 1 Block 16 The Muirlands, Public Rights of Way - on Resolution of Intention 137376 - the City Engineer told of meeting of property owners in the area having been held. He asked Harvey Cole, of his office, to report to the Council.

Mr. Cole said that property owners preferred to have the sewer shifted - to preserve plants and trees. He said it is found that can be done. He told of having easement plans, which include additional easements. Asked if the project would have to be abandoned, to re-design, Mr. Cole said that can be done without abandonment.

Mrs. Clark came to the microphone, and said her letter was read to the Council last week (at which time she was heard, verbally). She said that if a portion of the project is "hand dug" as Mr. Cole suggests, the owners will be in agreement.

RESOLUTION 133049, overruling and denying protests of Robert H. Parker, Frederic C. and Eugenia L. Roome, Marvin C. and Karen Clark, Charles W. Ferris, Jan and Marjorie Sommer, against installation of sewers in Muirlands Drive, et al.; overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Burgener, 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 137475 for paving and otherwise improving Alley Block 1 Ocean Spray 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 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 137476 for paving and otherwise improving Alley Block 318 Reed and Daley'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 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 137477 for constructing of street lighting system in Wisteria Drive, between southwesterly boundary of Wisteria Heights and its northerly termination in Wisteria Heights, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.  
No one appeared to be heard, and no written protests were presented.

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 137629 for grading and sidewalking 55th Street, Hardy Avenue, Lindo Paseo, Campanile 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 138050, determining that improvement of 55th Street, Hardy Avenue, et al., Resolution of Preliminary Determination 137629 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 of Preliminary Determination 137630 for paving and otherwise improving Kurtz Street, the Clerk reported written protests from L. Bruce Stallard, M. H. Golden Construction Company, Clough-Peterson.

The Mayor inquired if anyone was present to be heard.  
William Morris told of having been operating in the area for 9 years, and that the street has been satisfactory. He started to say "a bridge, or a road on the dyke...(but did not finish the statement).  
Wm. B. Bennett expressed opposition, and said that he had been there 5 years.

After Councilman Williams talked to Mr. Bennett, he replied that street is improved in front of his property - black-topped.

The City Engineer exhibited a plat, which he explained. He said that improvement had been ordered by the Council: it is 13.5% exclusive of City-owned land; City's land is not figured on percentages.

Councilman Schneider held a discussion with Mr. Morris.  
Mayor Dail spoke of there being "petition for portion added".  
The City Engineer said "correct".

Mayor Dail said that there 58.9% for a portion.  
Mr. Morris told of having presented a petition of more than 60% in opposition.

Willard Olson, from the City Engineer's Office, discussed that point with Mr. Morris.

Councilman Burgener said that this had been considered in conference.

Councilman Curran said that action today would be on the "feasibility".

Mayor Dail said that a 13% protest had been filed.  
August Weischedel said that the work is not needed - unless continued. He told of having voted against this once.

3/5/57

Councilman Williams held a discussion with Mr. Weischedel. Answering Councilman Williams, Harry Haelsig, Planning Director, said that the property is all M-1.

Mr. Stallard said that he had not been notified. He told of representing 3 property owners, and a personal interest. He told of there being a 50-foot right of way, which he said adequately serves the property. He said that sidewalk is not necessary in M-1. He said "taxes are high enough". He handed a protest to Councilman Burgener.

Councilman Williams held a discussion with Mr. Stallard.

Mr. Stallard repeated that this is industrial. He said that the paving could be widened in the present right of way. He said that the paving could be widened in its present right of way. He told the Council that the street is not paved to the full width of the right of way (proceedings call for acquiring public right of way).

Morley Golden said that he is not concerned by the lower end of Kurtz, where the government housing has been. He told of having built property 4 or 5 years, which Mr. Ecke now owns. He said that there are 3 tenants in the warehouse. Mr. Golden told of the understanding when bought that it was M-1. He said that San Diego Commissary is protesting in that if the street is widened it will "leave the building in the air". He said there are 2 deals pending. He said that Frontier Street is wide, and adequate. He said there is ample street now. He said that property would be damaged, and taxes increased.

Councilman Williams said that the City Engineer should evaluate the protest, and that the hearing should be continued 1 week.

Councilman Kerrigan said that the property is to be considered at this meeting to see if it would be worth the improvement, under a 6-vote resolution. He said "that is the only question, now".

Mr. Golden discussed the 6-vote resolution with Councilman Kerrigan.

Councilman Kerrigan said that if that resolution were not adopted, it would lengthen the proceedings - and cost more. He told Mr. Golden that there will be another hearing.

Mr. Golden said that "property owners in the area should not be blanketed in, on account of the other area".

Mr. Weelich protested, saying that Sherman & Kurtz is the location. He identified the owner as Astra Flooring Co.

Councilman Schneider said that if hearing is continued 1 week, the petition could be defined, and there be a report on altering the plan.

Councilman Williams moved to continue the hearing 1 week. Motion was seconded by Councilman Schneider.

Lyle Butler came to the microphone, and identified himself as an owner in Pueblo Lot 276: approximately 476 feet of frontage. He said that this is rapidly developing into an industrial area. He said the street is paved, and has a curb. He said the street was put in by the Federal Government - to the Dyke. Mr. Butler stated that the City Engineer says this is substandard. He said that in the first 2 blocks the street is not to be widened as of now...there would be future widening on the right of way. He said that "beyond it is narrow". He said that if this is to be an industrial area, a wider street is needed - the second block north. He said that as it goes northwest the pavement is practically out. He said that some would be taken up, and some would be re-surfaced. Mr. Butler said that the street jogs 7 or 8 feet in, and it is to be re-designed. He said that it is vital for the City and the people in the area to bring the street up to standard.

RESOLUTION 138051, continuing to 10:00 o'clock A.M., Tuesday, March 12, 1957, hearing on proposed improvement of Kurtz Street, and acquisition of Public Rights of Way, under Resolution of Preliminary Determination 137630, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

After the resolution of continuance was adopted, Mr. Golden spoke to the City Engineer about substandard property, and said that his area is satisfactory, and said that he would protest.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 137631, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

George K. Horner came to the microphone, and said he was protesting in that he understood the property owners would have to bear the entire burden. He said it would "be a through street to Clairemont". He said that would be outside of the established traffic pattern.

The City Engineer said that "the City is paying 1/2 the cost".

Councilman Burgener had a discussion with Mr. Horner.

Mr. Regenhardt, owner of Lots 2 and 3 (3 is outside the assessment district) asked if the City would pay the half that the Santa Fe (Railroad) would assume.

The City Engineer's reply was "yes".

Councilman Burgener pointed out that the improvement would be of no benefit to Santa Fe.

The City Engineer said that proceedings were initiated by the Council.

Willard Olson, of the City Engineer's office, referred to a letter considered in conference.

The City Engineer asked ~~if there was any memo from Blom (E. W. Blom, Asst. City Manager)~~ said that there was only a memo from Blom (E. W. Blom, Asst. City Manager).

The Mayor spoke of "need for something firm".

Mr. Regenhardt told of having asked for grading and oiling; Mr. Blom said that the City would not do that. He then agreed to the improvement "if the City pays 1/2".

Councilman Kerrigan expressed a faint recollection of conference discussion on the subject.

Mayor Dail said that it should be a Council policy to have details placed in the proceedings. He said that should be part of the file.

Councilman Schneider, who had been talking to J. F. DuPaul, City Attorney, stated that the Attorney said the Railway can't be assessed.

The City Engineer then read a "memo from conference". He said he did prepare plans and estimates.

Councilman Burgener said that the Council should adopt the resolution (of feasibility), and the property owners should go to the Engineer for estimates.

RESOLUTION 138052, overruling and denying protest of George K. Horner against proposed improving of Santa Fe Street, Balboa Avenue, Resolution of Preliminary Determination 137631; overruling and denying all other protests, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 138053, determining that improvement of Santa Fe Street, Resolution of Preliminary Determination 137631 is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment; also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

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

- Sunset Cliffs Lighting District No. 1;
- Presidio Hills Lighting District No. 1;
- Garnet Street Lighting District No. 1;
- Crown Point Lighting District No. 1.

3/5/57

At the request of Councilman Kerrigan, ordinance amending Article 3 Chapter IX of San Diego Municipal Code, renumbering certain sections, repealing certain sections, and repealing Ordinances numbered 11648, 13297, 13445, 384 N.S., 1639 N.S., 4408 N.S., 4479 N.S., 4577 N.S., 4621 N.S., 4793 N.S., and 4894 N.S., regulating Plumbing Installations.

R. S. Brock, representing the Building Contractors' Association, expressed the Association's endorsement. He said that adoption of this ordinance "will do away with the hodge podge of the present time". He spoke of wanting to get this settled, and said the ordinance should be adopted. He pointed out that the ordinance could be amended, if desirable later on. He said that the proposed ordinance has been gone into extensively. Mr. Brock said that it would be well to get it done, and into action - then amend, if necessary. He recommended passage, and making it an emergency ordinance (effective immediately).

J. F. DuPaul said that it would not be possible for this to be made an emergency measure.

Chas. E. Koons, business agent of the plumbers' local, said that he "highly recommends" adoption of the ordinance. He spoke of there having been a few disagreements.

A letter from the Associated Plumbing Contractors of San Diego, 3554 University Avenue, San Diego 4, dated February 22, 1957, was read to the Council by the Clerk. It was addressed to the Director, the Building Inspection Department, and says "After a thorough review of all sections of the proposed Plumbing Code for the City of San Diego, the Associated Plumbing Contractors of San Diego will accept and endorse this Code".

Sheldon Cass, secretary of the Associated Plumbers, said that there was a question regarding the gas code.

Herbert Ringer, the Director, said that action has already been taken on that.

Mr. Cass then asked the Council's endorsement of the ordinance.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the ordinance having to do with regulating Plumbing Installation, mentioned in detail at the beginning of this item, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail.

After the ordinance was introduced, the City Manager said that John D. Butler, attorney, wants to ask for an amendment.

Councilman Curran talked to Herbert Ringer about the code governing bathrooms in new homes. He asked if they could be built with no windows.

Mr. Ringer said that the subject is covered in the Building Code. He said that there has been a ruling by the Attorney General, and that a main bath room has to have a window.

RESOLUTION 138072, referring to Council Conference the question of windows in connection with bathrooms in new houses, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Crane Co. for furnishing 5 items of Parts for Mueller Pipe Tapping Machine - \$1,569.04 terms 2% plus tax; 3 bids - was presented.

RESOLUTION 138054, accepting bid of Mueller Pipe Tapping 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 Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Art A. Gussa for construction of Primary and Secondary Vaults and for Electric Power Manhole and Addition to Electric Power Duct System for Mission Beach Amusement Center - \$4,259.40; 2 bids - was presented.

Report says that estimate was \$12,100.

Ord. intr. - incl. discussion  
138072 - 138054

Purchasing report

RESOLUTION 138055, accepting bid of Art A. Gussa for construction of primary and secondary vaults and for electric power manhole and addition to electric power duct system for Mission Beach Amusement Center; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract, pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of V. C. Moffitt & Company for installation of Sprinkler System in Lomita Park - \$10,944.00; 3 bids - was presented.

Report states that estimated cost was \$12,571.15.

RESOLUTION 138056, accepting bid of V. C. Moffitt & Company for installation of sprinkler system in Lomita 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 Curran, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent on second low bid of Brown Carpet & Linoleum Company, Inc., for installation of acoustical material to the ceiling and walls of The Linda Vista Community Building at 7048 $\frac{1}{2}$  Levant Street - \$2,296.90; 4 bids, was presented. Report states that subsequent to opening bids, low bidder, John K. Haas Company whose bid was 64% under estimate and less than half amount of second low bid, submitted communication to Director of Building Inspection Department advising that his bid was based upon quantities erroneously assumed. It states that Mr. Haas submitted his work sheet to substantiate his contention of error (it is attached to the report), and states that the Building Inspection Department recommends that the Company be allowed to withdraw its bid. It states that the second low bid of \$2,296.90 is 23% below estimated cost, which was \$3,000.00.

RESOLUTION 138057, accepting bid of Crown Carpet & Linoleum Company, Inc. for installation of acoustical material to ceiling and walls of Linda Vista Community Building; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, on 3 "net low bids" for furnishing 3 4-wheel drive tractor loaders, was presented. It recommends acceptance of the second low bidder, in that the tractors offered by the 2 low bidders were tested in beach cleaning operations and those offered by low bidder were found to be inadequate in power sufficient to operate in sand and load kelp into truck. It says that low bidders to finding, and interposes no objection to rejection of his (Shaw Sales & Service) bid.

RESOLUTION 138058, accepting bid of Smith Booth Usher Company, Division of Western Machinery Company for furnishing 3 4-wheel drive Tractor Loaders at total net price of \$30,250.00 plus \$910.00 for Dozer Blades, plus tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138059, authorizing and directing Purchasing Agent

3/5/57

to advertise for sealed proposals or bids for furnishing 3 Automobiles for Highway Patrol, under Document 548982, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138060, authorizing and directing Purchasing Agent to purchase Chlorination Equipment, as per list attached to the Resolution, for total price of \$7,127.50 terms net, plus Tax, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Purchasing Agent communication submitting resolution authorizing purchase of 64 volumes of Art Books for San Diego Public Library, from Hacker Art Books Company, at total price of \$1,277.00 plus applicable taxes, was presented. The communication attaches a list of books to be purchased. It says that advertising for bids, and delay involved through advertising might jeopardize chances of securing the books deemed necessary.

RESOLUTION 138061, authorizing and directing Purchasing Agent to purchase from Hacker Art Books Company 64 volumes of Art Books, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Mission Village Unit 3, adjacent to Cabrillo Heights Housing Project on Kearny Mesa, was presented.

RESOLUTION 138062, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Barnard Development Company, a corporation, for installation and completion of unfinished improvements and setting of monuments required for Mission Village Unit 3 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 138063, adopting map of Mission Village Unit 3 Subdivision, being portion of Lot 40 Rancho Mission of San Diego; accepting on behalf of the public Towser Street, Skipper Street, Earhart Street, Mobley Street, Larkin Place, Rohr Place, portion of Shep Place and portion of Sandrock Road, and easements shown for sewer, water, drainage and public utilities, together with any and all abutters rights of access in and to Sandrock Road adjacent and contiguous to Lots 289 and 314 inclusive, shown on the map, 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 the Council has approved the subdivision map and 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 Burgener, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Clairemont Village Unit 3, subject to posting of bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 138064, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Mary Louise Page for installation and completion of unfinished improvements and setting of monuments required for Clairemont Village Unit 3 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman



Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 138065, adopting map of Clairemont Village Unit 3, a subdivision of portion Lot of subdivision of Pueblo Lot 1209; accepting on behalf of the public Carson Street, Cody Street, Boone Street, and easements shown for sewer, water, drainage and public utilities, 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 the Council has approved the map and that streets and easements shown are accepted on behalf of the public as stated; directing City Clerk to transmit the map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Crest View Heights, being portion of Lot 4 Pueblo Lot 1209, a 55-lot subdivision of portion Lot 4 Pueblo Lot 1209, located on northerly side of Brandywine Street between Ethan Allen and Tremont Avenues, southerly of and adjacent to Balboa Avenue, subject to 15 conditions, and suspension of portion of Municipal Code, was presented.

RESOLUTION 138066, approving tentative map of Crest View Heights; suspending portion of Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Kearny Terrace, a 10-lot subdivision of portion of Lot 78 Rancho Mission, located on Kearny Mesa in the industrial zone, adjacent to Cabrillo Freeway and Kearny Villa Road, southerly of Bowlin Subdivision, being portion of property included in tentative map of Kearny Terrace approved in July, 1953, was presented. Recommendation is subject to 8 conditions, and suspension of portion of the Municipal Code.

Councilman Burgener said that Chuck Christianson was were to be heard. Mr. Christianson said that this covers tentative map of property on Kearny Mesa, on the same side as the standpipe, and is a 10-lot subdivision of 5 acres. He said that there have been other buildings, with 16-foot setback, and he asked deletion of the 20-foot setback requirement, and that it be the same as the others. He said that there is already a paved strip, but the City Engineer recommends further improvements. He asked for waiving of that requirement, and that of the sewer.

Councilman Kerrigan said that the "property can't be used without sewer".

Councilmen Kerrigan and Burgener had a discussion with Mr. Christianson.

Mr. Christianson said that flexibility is needed; "it is 80 feet wide"; sewer and water lines are in. He said that pavement does not have to be cut. He said that there should be a 1911 Act paving, but "not now".

Harry Haelsig, Planning Director, said that this is the old Linda Vista Road, and that other subdivisions have had bigger lots. He stated that "the engineer says the paving should go in". He said that there would be an unfinished condition, with 12 or 13 feet from the edge of the paving to the curb. He said that "the other side did not have the requirement".

Mayor Dail left the meeting

Vice Mayor Williams acted as Chairman.

Mr. Christianson said that "it should all go in at 1 time". Individual Councilmen held discussions with Mr. Christianson.

Mr. Christianson said that the property is owned by 3 individuals - 2 up north.

Councilman Burgener moved to adopt the resolution, including

3/5/57

deletion of requirements for the 20-foot setback (to be 16 feet), sewer laterals and water service to each lot, curb and street improvements.

Mayor Dail returned

Councilman Schneider seconded the motion.

Councilman Williams said that so many eliminations of provisions can be made that it would prove to be a disadvantage. He said he wanted not to oppose the setback.

Councilman Kerrigan said that there must be a purpose in dividing the property into 10 lots.

Mr. Christianson said that it would provide flexibility.

Councilman Kerrigan said that there could be 10 individual owners.

At the request of the Mayor, it was stated specifically what items were to be deleted. They were:

Item 2, 3, 4 (b) and (c), 7 - the 20 foot setback to be 16.

Councilman Kerrigan said that there will be 10 lots adjacent to roadways, unimproved. He said that 10 could be sold off. He said that 10 services are available.

RESOLUTION 138067, approving tentative map of Kearny Terrace; suspending portion of Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson. Nays-Councilman Williams, Mayor Dail. Absent-None.

John D. Butler, attorney, appeared (as had been mentioned that he wanted to) in connection with the Ordinance which was introduced out of order - and shown earlier in this meeting's minutes - regulating Plumbing Installations. Mr. Butler spoke of having presented material regarding use of material - bituminous fibre pipe. He said that the Code (as introduced) approves only cast iron and asbestos cement. He requested a hearing for amendment.

Mayor Dail said that the Council had "just passed the ordinance, which was endorsed 100%".

Mr. Butler said that endorsement was "by the plumbers".

Mayor Dail said this might be discussed in conference.

Mr. Butler said if discussed ~~if-discussed~~ in conference, rather than a hearing set, he would then "have to insist on a hearing on the ordinance, on this phase". He spoke of there being no objection with "the main part".

Councilman Schneider moved to set a hearing in 4 weeks.

The City Manager said that arguments have been heard, and that points like this would be heard separately.

RESOLUTION 138068, setting hearing for the hour of 10:00 o'clock A.M., Monday, April 1, 1957, on the ordinance Regulating Plumbing Installations, introduced this date, in connection with use of Bituminous Fibre Pipe, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Mr. Butler told of there being nation-wide interest, and said there would be an "industry fight".

Communication from National City Chamber of Commerce, 1318 National Avenue, National City, California, P.O. Box W, dated February 26, 1957, signed by James Weaver, president, was presented. It says "this is to inform you that the Board of Directors of the National City Chamber of Commerce this morning unanimously confirmed the February 4, 1957 action of its Executive Committee in endorsing Brown Field as a site of the major San Diego airport...Brown Field not only has the support of the Navy (which is so important to South Bay cities as well as to San Diego City), it would

not interfere with residential or commercial development. Yet South San Diego - South Bay portion of the metropolitan area contains over 200,000 persons, a substantial part of the whole; and additionally a significant portion of San Diego air traffic originates below the border. Some have suggested that San Diego and environs are big enough and populous enough to soon support two airports (as in Los Angeles), one at Brown Field, another near Oceanside".

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

Communication from San Diego Chamber of Commerce, San Diego 1, by Ralph J. Phillips, president, dated February 27, 1957, was presented. It says "The Board of Directors of San Diego Chamber of Commerce, at their meeting today, voted unanimously to endorse the 3½ million dollar bond issue to construct a civic theatre in Balboa Park".

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

Communication from Department of Public Works, State of California, by G. T. McCoy, State Highway Engineer, dated February 20, 1957, requesting report on estimated needs, in compliance with the 1956 Federal Highway Act - to complete inventory of highway, road, and street improvement needs for this 15-year period from July 1, 1956, to July 1, 1971, etc. - was presented.

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

Communication from San Diego County and Municipal Employees Local Number 127, Hillcrest Station Box 51, San Diego 3, by Otto W. Hahn, business representative, was presented. It submits salary and classification requests for the fiscal year 1957-1958.

RESOLUTION 138069, referring to Council Conference communication from San Diego County and Municipal Employees, Local 127, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from San Diego Chamber of Commerce, San Diego 1, dated February 28, 1957, by Ralph J. Phillips, president, was presented. It says that Assemblyman Luckel introduced AB2249, at the request of the Council creating San Diego Metropolitan Transit Authority. It says that the Chamber has had a special committee which has spent considerable time studying "this involved legislation", and has reported to the Board of Directors. It says that the Chamber is on record as an organization in opposition to enactment of the legislation. It attaches an analysis of the act, together with statements of opposition by the San Diego Transit System and the San Diego Chamber of Commerce. It requests reconsideration of action taken by the Council, and that bill be placed on the inactive file. It requests the Mayor and Council, on behalf of the City, to give early and favorable consideration to proposal made by the Transit System, urging speeding movement of transit as a key to increased patronage. The communication urges Council support of legislation pending in Sacramento which would relieve the industry of extraordinary burdensome expense, in order that the private enterprise may be permitted to render to San Diego an adequate service.

Councilman Burgener asked Arnold Klaus, of the Chamber staff, if he wanted to speak.

Mr. Klaus said that the proposal would be undesirable, and that people at a distance would dominate the System. He protested Council action which he requested be reconsidered.

RESOLUTION 138070, referring to Council Conference, communica-

3/5/57

tion from San Diego Chamber of Commerce, was on motion of Councilman Williams, seconded by Councilman Evenson.

(Original motion, to the City Manager, was changed to conference).

Communication from San Diego Symphony Orchestra Association, dated February 28, 1957, by (Admiral) Wilder B. Baker, president, was presented. It requests renewal of contract for supporting a series of Summer concerts in Balboa Park.

RESOLUTION 138071, referring to Budget Conference communication from San Diego Symphony Orchestra Association, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138068 will be found on page 234 of these Minutes.

This item relates to introduction of minutes at the beginning of this meeting, page 230 of these Minutes, where discussion is shown, and ordinance Regulating Plumbing Installation introduced.

RESOLUTION 138072, referring to Council Conference question of windows in connection with bathrooms in new houses, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

(This has to do with requirement for windows).

RESOLUTION 138073, directing notice of filing assessment 2571, and of time and place of hearing, for sidewalks in Hughes Street, Boren Street, Gayle Street, Rock Street, Nelson Street, Kerch Street, Resolution of Intention 133524, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138074, directing notice of filing assessment 2572, and of time and place of hearing, 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, Lots 7 and 8 Block 11 Bungalow Park Addition, Resolution of Intention 131055, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING WORK 138075, for paving and otherwise improving Alley Block 21 Fairmount Addition, Resolution of Intention 137018, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING WORK 138076, for paving and otherwise Alley Block 127 San Diego Land and Town Company's Addition, Evans Street and Sampson Street, Resolution of Intention 137019, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING WORK 138077, ~~for paving and otherwise~~ improving Nutmeg Street, Maple Street, Balsa Street, and 54th Street, Resolution of Intention 137020, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING IMPROVEMENT 138078, for furnishing electric energy in Talmadge Park Lighting District 3, for 1 year from and including March 1, 1957, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138079, directing notice inviting sealed proposals for furnishing electric energy in El Cajon Boulevard Lighting District 2, for 1 year from and including March 1, 1957, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138080, directing notice inviting sealed proposals for furnishing electric energy in Talmadge Park Lighting District 2, for 1 year, from and including March 1, 1957, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138081, directing notice inviting sealed proposals for furnishing electric energy in University Avenue Lighting District 2, for 1 year from and including March 1, 1957, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 138082, for paving and otherwise improving Alley in Congress Heights Addition, Beryl Street, Public Rights of Way in Lots 171 and 172 Congress Heights Addition, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 138083, for paving and otherwise improving Alley Block 248 Pacific Beach, Lamont Street, Thomas Avenue, Right of Way in Lot 38 Block 248 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 138084, for paving and otherwise improving Alleys Blocks 258 and 263 Pacific Beach, Bayard Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138085, ascertaining and declaring wage scale for paving and otherwise improving Birch Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138086, ascertaining and declaring wage scale for paving and otherwise improving Franklin Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138087, ascertaining and declaring wage scale for paving and otherwise improving Sumac Drive, Modesto Street, Juniper Street, Laurel Street, Alley Block 21 Lexington Park, Columbine Street,

3/5/57

Olive Street, Alley Block 19 Lexington Park, Fairmount Avenue, Hollywood Park, Public Rights of Way, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138088, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Alleys Blocks 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220 and 221 Mission Beach, and Strandway, Resolution of Intention 135600, and to be assessed to pay expenses, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138089, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Torrence Street and Keating Street, Resolution of Intention 132281 and to be assessed to pay expenses, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138090, changing City Council Meeting Place to Board of Supervisors' Meeting Room, commencing March 18, 1957 and ending June 14, 1957, was presented, and on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Resolution states that the Council Chamber in the City and County Administration Building will be altered and remodeled, and that during the alteration and remodeling, the City Council intends to hold its Council meetings in the chambers of the Board of Supervisors. It sets days during that period as 10:00 o'clock A.M., each Monday and Thursday of each week in the chambers of the Board of Supervisors of County of San Diego, and directs City Clerk to publish the resolution once in the official City newspaper not less than 24 hours prior to the first meeting on March 18, 1957, and to give each Councilman written notice thereof, personally, or by registered mail.

RESOLUTION 138091, authorizing and directing San Diego Gas & Electric Company to include 12 additional mercury vapor 20,000 lumen ornamental street lights to the general street lighting contract: for 55th Street and Montezuma Road, in accordance with recommendation of City Manager, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138092, approving Water District Plat of Emerald Hills Water Area, together with Water Department Director's report, approved by City Manager, filed with City Clerk as Document 548862; determining costs to residents or owners, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138093, authorizing and empowering City Manager to do all work in connection with installation of roadways, shoreline toilets, water supply facilities, fishing piers and other projects to improve the recreational facilities at the Sutherland Reservoir, in County of San Diego, State of California, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.



3/5/57

RESOLUTION 138094, rescinding Resolution 138019 passed and adopted February 28, 1957, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Resolution 138019 had to do with the City Manager serving written notice upon the Stadium Racing Association, Inc. as lessee of the Municipal Stadium (to surrender the stadium during period commencing June 5, 1957 through June 8, 1957).

RESOLUTION 138095, authorizing and directing City Manager to serve written notice upon the Stadium Racing Association, Inc. as lessee of the Municipal Stadium that it shall surrender to the City of San Diego use of the Municipal Stadium during period commencing May 20, 1957 through June 8, 1957, under lease Document 496167 - City of San Diego is desirous of making use of facilities at the Stadium for public functions - was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138096, approving Change Order 2, dated February 15, 1957, Document 548957, issued in connection with contract Document between The City of San Diego and Daley Corporation for construction of 54th Street from El Cajon to Lea Street, contract Document 545490; changes amounting to increase in contract price of approximately \$1,500.00, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138097, approving request of Einer Brothers, Inc., February 20, 1957, Change Order 4, for extension of 80 days to and including April 30, 1957, Document 548958, in which to complete contract for Murray Second Pipe Line, Document 536625; extending completion time to April 30, 1957, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138098, authorizing Fred W. Lawrence, City Auditor and Comptroller to attend meeting March 7, 1957, of League of California Cities Committee on Revenue and Taxation; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

On motion of Councilman Williams, seconded by Councilman Schneider, reading of the next ordinance 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 passage written or printed copy.

ORDINANCE 7359 (New Series), repealing Ordinance 6431 (New Series) entitled "An Ordinance incorporating portion of Lot 13, New Riverside, into R-1 zone.....", was on motion of Councilman Williams, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman Evenson, reading of the next ordinance prior to passage was dispensed

3/5/57

with by vote 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 7360. (New Series) authorizing sale and conveyance of westerly 150 feet of Pueblo Lot 1275 and all of Unnumbered Pueblo Lot 1185, upon terms and conditions as may be deemed by the City Council to be in the best interests of the people of The City of San Diego, 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 Evenson, seconded by Councilman Burgener, the next ordinance was introduced.

On motion of Councilman Evenson, seconded by Councilman Burgener, reading 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 passage written or printed copy.

ORDINANCE 7361 (New Series) appropriating \$2,500.00 out of Capital Outlay Fund for installing acoustical material in Linda Vista Community Center Building, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Williams, seconded by Councilman Burgener, reading 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 passage written or printed copy.

ORDINANCE 7362 (New Series), appropriating \$76,000.00 out of Capital Outlay Fund for paying improvement assessments against Public-owned property of The City of San Diego, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

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

ORDINANCE 7363 (New Series), appropriating \$13,500.00 out of Capital Outlay Fund for installing sprinkler system in Lomita Park, 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.

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

On motion of Councilman Williams, seconded by Councilman

3/5/57

Kerrigan, reading 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 passage written or printed copy.

ORDINANCE 7364 (New Series), appropriating \$11,700.00 out of Unappropriated Balance Fund for providing funds for payment of services and expenses of William E. Parker, consultant - contract Document 548415 - was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Burgener, seconded by Councilman Schneider, reading 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 passage written or printed copy.

ORDINANCE 7365 (New Series), appropriating \$4,800.00 out of Capital Outlay Fund for installing Electrical Power Facilities at Mission Beach Amusement Center, 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.

Relating to the next 2 ordinances, communication from Harry C. Haelsig, Planning Director, presented a communication "relating to Conditional Use Permits". It has to do with R-4 Zone and creation of RP Zone, and tells of discussion before the Council in consideration. The communication says "Also there was a definite commitment to the Realty Board and to several individuals that the ordinances would be amended to provide for the granting of conditional use permits for the former R-4 uses in the new R-4 zone for a period of 5 years from the date of adoption of the ordinance. Although this is not immediately necessary in that there is a two year period in which all of the former R-4 uses will be permitted in the new R-4 zone, it was assured these individuals and the Realty Board that it would be incorporated. In order to keep faith with the citizens of the community, it is recommended that these ordinances of proposed amendments, be adopted".

On motion of Councilman Burgener, seconded by Councilman Kerrigan, ordinance amending Chapter IX Division 5 of San Diego Municipal Code by amending Section 95.0103 thereof, and by adding thereto 7 new sections to be known as and numbered Sections 95.0103.1, 95.0103.2, 95.0103.3, 95.0103.4, 95.0103.5, 95.0103.6 and 95.0103.7, Regulating Signs in certain zones, was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Kerrigan, seconded by Councilman Williams, ordinance amending Section 101.0505 of San Diego Municipal Code relating to Conditional Use Permits, was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

He told of paving petition he had, in Alley Block 4 Normal Heights, signed by 55% of the property owners.

Councilman Schneider handed the petition to the City Manager, and the Council took no action.

7364 N.S. - 7365 N.S.  
Ords. intr.  
Pet. handed to Mgr.

3/5/57

The City Manager requested, and was granted, unanimous consent to present the next item, not listed on the agenda:  
RESOLUTION 138099, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for improvement of portions of Ocean Beach Athletic Area (including grading, installation of drainage structures, storm drains, water mains, sewer main, water services, dirt topping and top soiling portions of area), Document 549044; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

The City Manager requested, and was granted, unanimous consent to present the next item, not listed on the agenda:  
ORDINANCE 7366 (New Series), ordering, calling, providing for and giving notice of Special Municipal Election to be held in the City on Tuesday, April 16, 1957, for purpose of submitting to qualified voters a proposition to incur bonded indebtedness by the City of a certain municipal improvement, and consolidating said Special Municipal Election with the Municipal General Election to be held on said date, 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.

The ballot proposition is to be printed in substantially the following form:

CITY OF SAN DIEGO CIVIC THEATRE		
BONDS:		
Shall the City of San Diego incur a bonded indebtedness in the principal sum of \$3,500,000 for the acquisition and construction by said City of a certain municipal improvement, to-wit: a civic theatre, with vehicle parking therefor, to be located within an area in Balboa Park, bounded on the west by Park Boulevard, on the north by Morley Field Drive, on the east by Florida Street, and on the south by Laurel Drive; said civic theatre to be used for operas, musical events, shows, pageants, public gatherings and other public uses, and to include radio and television facilities, movie projection booth, equipment, furniture and furnishings, and all incidental facilities necessary therefor, and said improvement to include the construction of public utilities, paving, drains, sewers, walks, drives, and all other works, structures, and facilities necessary therefor?	yes	
	no	

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

3/5/57

Councilman Kerrigan requested, and was granted, unanimous consent to present a petition referring to speed on Alamo Drive.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, it was referred to the City Manager. (Actually, Mr. Kerrigan handed it to the Manager, so it did not go through the Clerk's files).

Councilman Kerrigan requested consideration of the next item, not listed on the agenda. He asked the Council to discuss in consider in conference the subject of subdivisions in industrial areas.

RESOLUTION 138100, referring to Council Conference the subject of subdivisions lying within industrial areas, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

There was returned from Council Conference, by the Council Secretary, communication from Joint Interim Committee on Transportation Problems (the California Legislature), by Randolph Collier, dated February 18, 1957 - Document 548439.

It was filed by the Clerk.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:35 o'clock A.M.

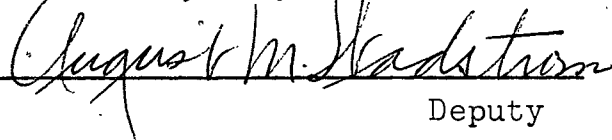
ATTEST:

FRED W. SICK, City Clerk



Mayor of The City of San Diego, California

By



Deputy

Pet - U.C.  
138100 - U.C.  
Conference item filed  
Meeting adjourned

3/7/57

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, March 7, 1957

PRESENT-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson, Mayor  
Dail

ABSENT--Councilman Curran

CLERK---Fred W. Sick

Ordinances and Resolutions for this meeting are recorded  
on Microfilm Roll 126

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

Mayor Dail presented the next item, not listed on the  
agenda, under unanimous consent:

The Mayor read a prepared statement in connection with  
the Airport situation in San Diego.

Councilman Williams moved that the Council go on record  
in support of the Mayor's statement. Motion was seconded by Councilman  
Schneider.

Councilman Burgener said that the subject should be referred  
to conference, and that it has "not been discussed by the Council for a  
long time".

The Mayor asked if the Council had not been briefed.

Councilman Williams said the Council "has been well advised".

Councilman Schneider told of not having heard about the Navy's  
reversal 'til yesterday.

Councilman Williams said that there had been hearings, before  
the subject went to Washington. He said that recommendation for settling  
the issue on the local is stupid. He referred to "need to look to the City  
need, now".

Councilman Burgener said that he was dismayed at the Airport  
Use Panel's breakdown, and that he was not prepared to endorse the statement  
now.

Councilman Evenson said that the Council has discussed the problem  
thoroughly, and that the Mayor has fulfilled the Council's instructions.

Councilman Schneider said he understood that there was an  
obligation for this to be "passed on to a higher body".

Mayor Dail said it is his understanding that the Use Panel  
has taken this subject off its agenda.

Councilman Burgener asked if would not be better to demand  
an answer.

Councilman Schneider said that there should be compliance  
with the law.

Mayor Dail said that "the system has collapsed in Washington;  
the City has exhausted all avenues".

Councilman Kerrigan observed that "the rules are apparently  
wrong".

Mayor Dail said that it is the same set-up as the judiciary.  
He said that the administrative actions are set up. He said that there  
have been 3,000 cases, but the City's is being set back.

Councilman Kerrigan said that the rule is not working.

Councilman Burgener said that survey had been developed on  
a professional basis, and that there are amateur opinions, also. He said  
he would go along with the professional opinions.



3/7/57

Councilman Williams said that statement of policy had been read by the Mayor.....there has been a lapse of time. He spoke of attempting to protect the interests of the City - the 23rd largest city in the United States. He said that he endorses the statement, and that if necessary, the Council should insist on a decision on the part of the President.

There was a discussion between Councilman Burgener and Mayor Dail.

The Mayor and Councilman Burgener said that they "should be made to comply with the rules".

The Mayor reviewed the rules, and said that this has been referred back to the local level, which is a reversal of procedure. He said "this settles nothing".

The Mayor said that there is a motion on the floor; that Councilman Burgener wants procedure followed on a local level.

Councilman Schneider said that "the Council was elected to protect the City", and that Councilmen have to stand up to criticisms and attacks. He said that he will vote for endorsement of the Mayor's statement.

Councilman Williams said that "in San Diego there are people who choose to feel that the Navy is not part of this City; that is not true". He asked how the City's future can be overlooked.

Councilman Burgener said that this is asking for a decision - and telling the Panel what the decision should be. He said he will not tell them where the airport should be.

Mayor Dail said that no particular site is stressed - but that Montgomery Airport is the only site pursued.

It says "let me warn our people of the real danger to San Diego resulting from the present chaotic uncertain state of indecision. ....The CAA has warned San Diego for ten years that it must relocate its airport. The City incurs daily complaints, increasing in intensity, genuine citizen protests of jet planes taking off from Lindbergh Field. CONVAIR is concerned about this, too. It has made special, very costly, provisions, for insuring the safety to the community of their jet 102 fly-aways....our plans for further industrial development are going to grind to a gradual halt and our economy will continue to be dependent upon the uncertainty of manufacturing of implements of war....Well-meaning people of our community, stirred up by irresponsible conflicting and contradictory news reporting and official statements designed to confuse, are now charging the City with tactics of disruption. All we have ever asked for was a settlement of this question. We can take alternatives if that is what is wanted for San Diego, but I call upon all citizens to think hard on this subject because in the short space of the next two years it may be said the City lost out on the airport problem back there in 1957--but they were 100% right all the time".

Councilman Schneider said that under Harley Knox (one-time Mayor) plans were made ahead, and land was purchased (for Montgomery Field). He said that it was planned years ago, and land was purchased. He said that there has not been publicity that the City owns the land.

The roll was called on the motion, showing the following: Yeas-Councilmen Williams, Schneider, Kerrigan, Evenson, Mayor Dail. Nays-Burgener. Absent-Councilman Curran (Councilman Curran who was not present at the time, indicated near the end of the meeting, his approval of the statement and asked that it be shown that it met his approval), and resulted in

RESOLUTION 138101 endorsing the Mayor's statement.

RESOLUTION 138102 directing that there be forwarded to the Airport Use Panel of the Air Coordinating Committee, and to the President, for the resumption of the process of selecting an airport for San Diego - with no site specified, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Mayor Dail recognized H. DeGraff Austin, Chairman of the Board of Supervisors, who had a number of Japanese guests. He recalled the pleasant relations the City of San Diego has with Yokahama.

Airport discussion .....  
138102  
Visitors recognized

3/7/57

Mr. Austin thanked the Mayor, and said that in addition to being Chairman of the Board of Supervisors, he was appearing as ~~seere-~~ ~~tary~~ president of the San Diego Rowing Club. He said that the Club is sponsoring wrestling matches in which the Japanese visitors will participate. He introduced individuals, and referred to some of them individually. Then, he introduced to the visitors, the City officials to whom they had been presented.

A response was made in their behalf.

The Mayor welcomed the visitors to San Diego, and told of the facilities for the berthing of ships, which will include those from Japan. He declared that they were "honorary citizens" of San Diego.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on rezoning of a portion of Lot 18 La Mesa Colony, from R-1 to R-4 - at the northwest corner of Seminole Drive and Acorn Street, Councilman Kerrigan said that last week (when first hearing was held by the Council) there was a petition of protest, which had been referred to Planning for evaluation.

Harry Haelsig, Planning Director, laid down a map, which he explained. He told of Planning's recommendation, and the petition. Councilmen discussed the map.

Mayor Dail explained the zoning procedure to interested members of the audience.

Tye Tyson, the petitioner for the zone change, referred to dissenting vote of 100 feet, facing Seminole, and asked if that is a determining factor.

Councilman Kerrigan, speaking to Mr. Tyson said "no", and told of the approval.

Mr. Tyson looked at the map of proposal, and individual members of the Council had discussions with him. He said that he "doesn't want the entire section, but if the Council wants, he will go along with Planning recommendation". He showed the front page of an Evening Tribune announcing housing to be constructed. If private capital does not put up the housing, it will go back to the government, according to Mr. Tyson. He spoke of having a plan in the east, with an insurance company which would do the financing.

Martin Capp, 4161 Seminole - at Acorn, diagonally across from the area considered - told the Council that he had appeared at the Planning Hearing. He said that Planning voted for the 100-foot buffer. Mr. Capp said that he wrote to the Council setting out objections, and that he "objects even to the Planning recommendation." He said that the 100-foot buffer "is just that". He declared that none of the area should be re-zoned. He said that being an engineer, engineers want to live in R-1 zones. Mr. Capp said he resented statements that engineers prefer to live in apartments; they prefer to live in houses, set up for houses. He referred to Mr. Tyson's statements before Planning. He spoke of 13 acres under variance by the radio station. He said that would be an opening wedge for shopping center, etc. He said that small parcel left for apartments would not be the end ultimate for apartments, as Mr. Tyson represents.

Individual Councilmen held discussions with Mr. Capp.

Councilman Schneider pointed out that "it takes 5 votes of the Council to upset the Planning Commission's recommendation".

Councilman Schneider moved to return the item to the Planning Commission.

Mrs. Gegag, who had spoken last week referred to "all these people" being interested. At her request, they stood.

Councilman Kerrigan had a discussion with Mrs. Gegag, during which he said that perhaps this should be continued 1 week.

Councilman Burgener discussed with Mr. Haelsig the radio use, and its termination.

Mrs. Gegag told of having had a zone variance to permit

building, because the lots are large. Individual Councilmen discussed the question with her.

Councilman Schneider said he was impressed by Mr. Capp's statements, and that "large jumps" are not looked on favorably.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the hearing was continued 1 week - and Planning requested to furnish information on the Radio Station property, by

RESOLUTION 138103, adopted.

Petition from residents of the unincorporated area of the South Bay requesting permission to circulate petition for Annexation, was presented.

On motion of Councilman Burgener, seconded by Councilman Kerrigan,

RESOLUTION 138104 referring petition of South Bay area to the City Planning Department, was adopted.

Purchasing Agent's

~~Planning-Commission~~ report on low bid of M. J. Baxter for furnishing and installing Main Extensions and Replacements Unit 201 - for the Water Department - approved by City Manager; \$52,256.00; 5 bids - was presented.

RESOLUTION 138105, accepting bid of M. J. Baxter for furnishing and installing Main Extensions and Replacements Unit 201; 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 Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Western Radio & T. V. Supply Company for furnishing requirements of Radio Tubes for 1 year, beginning March 15, 1957 - 2 bids - \$4,800.00 - was presented.

RESOLUTION 138106, accepting bid of Western Radio & T. V. Supply Company for furnishing requirements of Radio Tubes; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138107, approving plans and specifications for furnishing material, labor, tools, equipment, transportation and other expense necessary or incidental for installation of Hangar Doors, North Side of Hangar No. 2, Lindbergh Field; Document 549096; authorizing and directing Purchasing Agent to publish notice calling for bids, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 138108, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for improvement of 30th Street at Beech Street and 30th Street at Ivy Street (including grading, removal of pavement, curb, sidewalk, culverts and drainage structures, construction of curb et al); Document 549098; authorizing and directing Purchasing Agent to publish notice calling for bids, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION 138109, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain in Lot 48 Fairhaven Acres and in northwest quarter of northeast quarter of Section 33; Document 549097; authorizing and directing Purchasing Agent to publish notice calling for bids, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

The next item was considered at this time, out of order.

It was an ordinance listed on the agenda for introduction incorporating portion of Pueblo Lot 1240 into RC-1A Zone, on which hearing was held by the City Council February 28, 1957.

Louis Karp, attorney, said that "property owners are here, who had not been here at the hearing." He referred to area as Clairemont.

Councilman Burgener said that it was an area owned by, and sold by the City.

Mr. Karp called Lt. Col. Venn.

Col. Venn said that proposed zoning was changed, in that 2 lots were removed. He said that it would be jumping from R-1, and that by approval it would be establishing 4 zones. He said he opposed the rezoning for several reasons. He said that the property had been sold by the City as R-1; he had bought because of its being a residential area; re-zoning would "change the concept"; there would be traffic to the commercial enterprises. Col. Venn said that Luna Avenue is 60 feet wide - the same width as Moraga, which has commercial property, and is not wide enough. He stated that the Council considers general public interest. He said that there are no rentals, except for a few service men (like himself) who have been transferred. He said there is no need; there is adequate shopping area in Clairemont. He said that the land has been purchased by someone who knew it was R-1. He stated that it would reduce the value of his property, and that he would suffer for another's gain.

Councilmen had discussions with Col. Venn, who said that this would be "violating", and "not good zoning practice".

Councilman Schneider pointed out that the R-1 was a holding zone.

Col Venn said, again, that it would be jumping 4 levels.

Councilman Kerrigan said that "the exact pattern has been established in many other areas".

Councilman Burgener said that (shopping centers) are generally laid out in advance.

He (Venn) said that Planning has decided that it would not be good planning. He asked if it is in the best interest. He said there is no need for other stores; the existing shopping area was poorly planned.

Mrs. Foster said her property would be affected by traffic in the residential zone. She said she was not interested in more stores. She said that more traffic would deteriorate the area, and that stores would "deteriorate to small run-of-the-mill centers". Mrs. Foster identified her property as being next door to the Venns. She said it is unnecessary, that it, and the surrounding area would deteriorate.

Harry Haelsig, Planning Director, told the Council that there was considerable history. He pointed to a previous plan for shopping center, of 4 or 5 years ago. He said that the staff (Planning) was overridden in its early recommendation. He reviewed development from a map, which was explained. Mr. Haelsig said it would have to be redesigned. He said that "sometimes R-1 zones have to be placed adjacent to shopping centers". He stated that the street system is not designed for shopping center. He said that subdivider is on notice that subdivision is going to be required, and there be a street design.

Mr. Karp discussed previous decisions, with Mr. Haelsig. He asked "why give a man the opportunity to hurt other people?"

G. E. Anderson, Lot 2942 immediately adjoining Shattuck Highland property, said that there would be increased traffic. He said he has 4 young children, and he bought there for their protection. ~~He said~~

3/5/57

Mr. Anderson said that street widening would be involved; he has one of the finest tracts in Clairemont, and wants to keep it. He said widening would cut down his property. He said "it could be rezoned again".

Mayor Dail (who had been in Washington) discussed the previous hearing with Councilman Williams (who had presided as Vice Mayor). Councilman Burgener observed that there were "more here than last time".

City Attorney J. F. DuPaul pointed out that it would take 5 votes of the Council to adopt the ordinance, which would overrule the Planning Commission.

W. W. Harper, Jr., Lot 2863 spoke to Councilmen about being west of the Venn's lot. He said that when he bought, in April, of 55, it was a prairie, and was assured that it would remain R-1, for the entire area. He said he has heard that there has been a Planning meeting. He said there has been quite a bit of building, and that "the dust has been tremendous; the traffic has been considerable". He said "the commercial area would continue on and on and on". He requested the Council to go along with the Planning recommendation.

Mr. Karp filed Arthur T. Lawry and Helene P. Lawry, "opposing establishment of a grocery and snack bar, or any other commercial establishment in vicinity of Gallatin Way". Mr. Karp said that the main point is if this is in the public interest. He said that the property was owned by the City of San Diego, and was sold at auction. He said at the auction, inquiry was made regarding zone planned, and that Mr. Ogden (Property Management Director) said "no" to a possible zone change. He said that he has letters from 2 bidders, who said that if commercial zone were contemplated, they would have bid more. He filed letters from Marine Developments, Inc., by Harry L. Summers, and from Irvin J. Kahn (Kahn & Karp), attorneys at law, and contended that "the City has lost money."

Councilman Schneider pointed out that "the picture changes"; all the property north of B Street was residential at one time. He told of zoning requirements, and of Council consideration.

Fred Landgraf, attorney, representing Mr. Shattuck who purchased the property from the City, and who is the applicant for the zone change, was heard. He said that "there have been 4 primary opponents". He told of a survey man having been retained, and of the petition which had been filed indicating that signers were preponderantly in favor of a shopping center. He said that "the Planning staff thought that a shopping center is desirable". He said that Mr. Shattuck is to build additional homes, which will make for increased use. He said that the Planning Department felt it would be desirable during development - more is needed - now. He said the center will be used by 1-car families. Mr. Landgraf stated that necessity is shown by the survey, and that there is a big demand from retailers.

J. R. Shattuck, owner and developer, said that Mr. Karp was erroneous in his statement about the bidding; Mr. Ogden said that "the property was presently R-1; he could not say otherwise". He told of having to present a form to the Veterans' Administration, in which question was asked about a shopping center within 3/4 miles. He said he clocked the distance on his car, and that it is 1.1 mile, or more. He told of having called the VA appraiser, who said that he would look on favor of a shopping center. He said he was told that Planning had recommended a shopping center to Burgener-Tavares, who did not develop. He said he was told he would have to widen Gallatin Way at his own expense, and provide more access. He said that Luna is dedicated 70 feet, with a portion at 60 feet. Mr. Shattuck said that the rezoning, and proposed development, "is in the general public interest".

Councilman Burgener discussed the parking with Mr. Shattuck.

Mr. Shattuck replied that he would have to comply with requirements. He said that houses yet to be built would be by himself.

Beryl Phelps, engineer, told of 900 lots filed, or to be filed (by subdivision). He said that shopping centers are generally 4,000 feet apart; this one is 7,000 feet away. He told that VA is going to apply for a small shopping center, properly designed. He, too, spoke of the survey.

He said that there is need for a shopping center, because it is now too far to one. Mr. Phelps said "this is not going to be for liquor, or junk".

Councilman Burgener moved to close the hearing. Motion was seconded by Councilman Schneider.

Mr. Karp and Mrs. Phelps pointed out the area on "topo" maps, which both explained.

Mr. Phelps said that the area is isolated, and repeated that there is need for a shopping center.

Mr. Karp, referring to the map, told the Council that there "is not room for 980 homes (as had been referred to) on the point".

The roll was called, and the hearing was closed.

Councilman Burgener said that he was in an embarrassing position, in that he sold the houses. He stated he "owns no interest in either of the shopping centers". He said that there are 4-bedroom houses, with 2 baths, and generally 2 cars, in the area. He said he would oppose the zone change.

Councilman Schneider moved to introduce the ordinance. Motion was seconded by Councilman Kerrigan.

Councilman Curran spoke to Mr. Shattuck, who discussed the development with him. He said that the area will be built, regardless of a shopping center.

Ordinance incorporating portion of Pueblo Lot 1240 into RC-1A Zone, as defined by Section 101.0409.2 of San Diego Municipal Code, repealing Ordinance 13457 adopted February 15, 1932, insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced, by the following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-Councilman Burgener. Absent-None.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Record of Survey, for 2-lot resubdivision of Lots 27 & 28 Block 2 Cullen's Westland Terrace, west of Wabash Boulevard, with frontage on Pentuckett Ave., just north of Ivy St., was presented.

RESOLUTION 138110, approving filing of Record of Survey Map in lieu of Final Subdivision Map in Cullen's Westland Terrace, under Section 102.02.1 of San Diego Municipal Code, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Mayor Dail left the meeting  
Vice Mayor acted as chairman

City Attorney J. F. DuPaul presented 2 resolutions, which follow - on the subject which was listed on the agenda:

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Fleetridge Heights, resubdivision of Lots 4 and 6, located on westerly side of Bangor Place, on easterly side of Concord Street, in R-1 zone, was presented. It says that subdivider proposes to include northerly 40 feet of Lot 6 with Lot 4 in order to protect the view which Lot 4 now enjoys.

RESOLUTION 138111, approving 1-lot resubdivision of Lots 4 and portion Lot 6 of Fleetridge, subject to 5 conditions; and suspension of portion of the Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of record of survey for 2-lot resubdivision of portion of Lot 6, and of Lot 4 Fleetridge Heights, on Point Loma, was presented.

RESOLUTION 138112, approving filing of Record of Survey Map in lieu of Final Subdivision Map, ~~in lieu of Final Subdivision Map~~, pursuant to provisions of Section 102.02.1 of San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.



Communication from Planning Commission, by Richard L. Weiser, recommending reapproval of tentative map of Grant King Subdivision, subject to all conditions of previous approval, was presented.

RESOLUTION 138113, reapproving tentative map of Grant King Subdivision, a 1-lot subdivision of portion of Pueblo Lot 1286, approved by Resolutions 130982 and 130983, subject to conditions of those resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending resubdivision of Lots 1, 2, 3 Block 20 Westmore & Sanborns Addition & portion of E-1/2 Payne Street (closed - a 3-lot resubdivision, located at 33rd and Martin Streets in southeastern portion of the City, was presented.

RESOLUTION 138114, approving filing of Record of Survey Map in lieu of Final Subdivision in Wetmore & Sanborns Addition, and portion of Payne Street closed, in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

There was listed on the agenda, as an item continued from earlier meetings, communication from City Attorney re Superior Court Action #212371; Frost et al. vs. The City, on P/Ls 1202 & 1203 zoning.

On motion of Councilman Schneider, seconded by Councilman Curran, it was "filed, and referred to Council Conference". (The item is in Conference, having been referred there February 21, 1957).

Communication from Mrs. D. Barker, 4426 Morrell Street, March 1, '57, complaining of mud and other conditions in front of the address, was presented.

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

Communication from H. H. Fritz, 4621 31st Street, San Diego 16, requesting police protection from a former tenant at his property 2342 30th Street, was presented. It states that he had requested the tenant to vacate, and tells of damage done.

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

Copy of a night letter sent on Feb. 28, 1957, by the Cabrillo Co-Ordinating Council, of San Diego, to the Chairman of the Federal Airport with copies shown as having been sent to the Secretary of the Navy, the Mayor, and members of the City Council, was presented. Use Panel

It requests that consideration for selection of Montgomery Field site as a municipal airport for the City of San Diego, be deferred in favor of another location due to possible and probable air mishaps that will occur.

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

Communication from Musicians' Association of San Diego County, by Edward B. Wheeler, president of Local 325, 1154 12th Avenue, San Diego,

3/7/57

dated March 4, 1957, was presented. It tells of Fiesta del Pacifico request for \$3,354.50 for entertainment for scheduled meeting of Inter-American Defense Board, July 26 and 27, to be divided equally between City and County. It advocates employment of San Diego musicians, and tells of former expenditures for importation of foreign or non-local musicians.

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

Communication from Musicians' Association of San Diego County, Local 325 American Federation of Musicians, 1154 12th Avenue, by Edward B. Wheeler, dated March 4, 1957, was presented. It refers to request of Fiesta del Pacifico for entertainment funds for Inter-American Defense Board meeting, July 26 and 27, and says "I hazard a guess that when this Inter-American Defense Board meets in some other countries, that no orchestra is imported by the host Community". That communication was addressed to the Mayor.

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

Communication from San Diego County Water Authority, 2750 Fourth Avenue, San Diego 3, California, by Richard S. Holmgren, General Manager and Chief Engineer, dated March 4, 1957, was presented. It mentions notice from The Metropolitan Water District of California providing for increase in cost of untreated Colorado River Water beginning July 1, 1957.

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

Communication from San Diego County Water Authority, 2750 Fourth Avenue, San Diego 3, California, by Richard S. Holmgren, General Manager and Chief Engineer, dated March 5, 1957, was presented. It states that a meeting of agency representatives will be held Friday, March 8, 1957, at 2:00 P.M., at the Authority offices, to discuss the following action taken by the Board on February 14, 1957: "That the Board of Directors of the San Diego County Water Authority urge its member agencies to accept an equitable method of apportioning water in 1957".

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

Communication from Byron Harwell, 2120 San Diego Avenue, San Diego, protesting the pyramiding sewer service charge on water bills, was presented. It says that this week he is placing a protest motion before the Old San Diego Chamber of Commerce, of which he is treasurer.

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

Communication from San Diego Junior Chamber of Commerce, 947 Columbia Street, at Broadway, San Diego 1, dated March 4, 1957, by John L. Allen, president, was presented.

It makes requests for specific appropriations for the fiscal year starting July 1, 1957.

RESOLUTION 138115, referring communication from San Diego Junior Chamber of Commerce to Budget Conference, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from San Diego Police Association, Inc., police headquarters, P.O. Box 1431, San Diego 12, dated March 4, 1957, by O. J. Roed, president - (a copy of communication addressed to Mrs. Mildred Waite, chairman, City Civil Service Commission) - was presented.

It makes specific requests for compensation for "sworn personnel of the Police Department" for the fiscal year 1957-1958.

RESOLUTION 138116, referring communication from San Diego Police Relief Association, Inc. to Salary Conference, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Commission, by John Bate, dated 5 March 1957, enclosing for approval by the Council a form of contract between the Harbor Department and The Pacific Telephone and Telegraph Company, which will provide the Department with dial private branch exchange service - to handle the increasing number of calls, was presented.

RESOLUTION 138117, authorizing and empowering Harbor Commission to enter into contract with Pacific Telephone and Telegraph Company, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 138118, giving notice of proposed annexation to The City of San Diego of portion Lot 13 Rancho Mission of San Diego, in County of San Diego, State of California, to be known and designated as "Hartley Tract", was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 138119, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with State of California, Department of Public Works, Division of Highways, for widening Sixth Street Extension, between Cabrillo Freeway and University Avenue, under Document 549258, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 138120, authorizing and empowering City Manager to execute, for and on behalf of the City, amendment to lease agreement between The City of San Diego and DeAnza Harbor, Inc., granting to the corporation extension of time for completion of work called for under Document 549268, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 138121, approving request of John B. Henry, Inc., dated February 11, 1957, for extension of 30 days to and including April 4, 1957, Document 549114, in which to complete contract for drainage facilities, Front and A, Second and A; extending completion time to April 4, 1957, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

There was listed on the agenda a resolution authorizing the City Manager to execute lease with San Diego County Council Boy Scouts of America, of about 18.5 acres in Pueblo Lot 1131 south of Upas Street and

3/7/57

east of Cabrillo Freeway in Balboa Park, for term of 50 years, at \$1.00 per year, for Boy Scout Headquarters.

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

RESOLUTION 138122, granting permission to the Associated Glider Clubs of Southern California, Ltd. to occupy portion of Torrey Pines Park in Pueblo Lot 1324 for using the area in connection with production of part of the National Broadcasting Company Wide, Wide World television show on "Flight", March 17, 1957 and such other days immediately preceding and immediately following as are necessary for assembling and dispersing planes and equipment, subject to terms and conditions of the resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138123, approving claim of Sydney B. Brown, Document 547853, in amount of \$752.50; authorizing City Auditor & Comptroller to draw his warrant in favor of Sydney B. Brown, 4003 Mission Boulevard, San Diego, in amount of \$752.50, in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138124, approving claim of Preston D. Huey, Sr., Document 548403, in amount of \$42.25; authorizing City Auditor & Comptroller to draw his warrant in favor of Preston D. Huey, Sr., 309 Twin Oaks Avenue, Chula Vista, California in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138125, approving claim of Bob Turner, 824 Bonsall, San Diego 4, Document 547886, in amount of \$10.58; authorizing City Auditor & Comptroller to draw warrant in favor of Bob Turner, in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138126, denying claim of Mrs. Laziel B. Buckley, 3017 Vancouver Avenue, San Diego 4, Document 548571, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138127, denying claim of Daniel P. Harmer, 3777 Dwight Street, San Diego 5, Document 547880, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138128, denying claim of Daniel P. Harmer, 3777 Dwight Street, San Diego 5, Document 547881, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138129, denying claim of Ona Wanda M. Hawes, 1845 Union Street, San Diego, Document 548177, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138130, denying claim of Budd Neel, c/o Allstate Insurance Co., 2948 El Cajon Boulevard, San Diego 4, attention Thomas E. Sharkey, Document 548579, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138131, denying claim of Mrs. Ruth E. Smith, 4694 51st Street, San Diego, Document 547491, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138132, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, Trustee, November 27, 1956, wherein they subordinate all their right, title and interest in and to easement for right of way for public street and incidents in northeasterly 5.00 feet Lots 3 and 4 Block 44 Paradise Hills Unit 3; authorizing and directing City Clerk to file subordination agreement, 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 Evenson, adopted.

RESOLUTION 138133, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Continental Auxiliary Company, trustee, February 8, 1957, subordinating all their right, title and interest in and to easement for right of way for public street and incidents, in southwesterly 5.00 feet Lot 3 Block 43 Paradise Hills Unit 3, and southwesterly 5.00 feet of northwesterly 20.00 feet Lot 4 Block 43 Paradise Hills Unit 3; authorizing and directing City Clerk to file subordination agreement, 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 Evenson, adopted.

RESOLUTION 138134, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Continental Auxiliary Company, trustee, November 27, 1956, subordinating all their right, title and interest in and to easement for public street and incidents thereto, in southwesterly 5.00 feet Lots 4 and 5 Block 43 Paradise Hills Unit 3, excepting northwesterly 20.00 feet of Lot 4; authorizing and directing City Clerk to file subordination agreement, 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 Evenson, adopted.

RESOLUTION 138135, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, February 8, 1957, subordinating all their right, title and interest in and to easement for right of way for public street and incidents in southwesterly 5.00 feet Lot 3 Block 43 Paradise Hills Unit 3, and southwesterly 5.00 feet of northwesterly 20.00 feet Lot 4 Block 43 Paradise Hills Unit 3; authorizing and directing City Clerk to file subordination agreement, 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 Evenson, adopted.

3/7/57

RESOLUTION 138136, accepting subordination agreement, executed by Curtis P. Green, beneficiary, and The First National Trust and Savings Bank of San Diego, trustee, February 19, 1957, subordinating all their right, title and interest in and to easement for right of way for public sewer and appurtenances in strip of land 10.00 feet wide in Pueblo Lot 1287; authorizing and directing City Clerk to file subordination agreement, together with certified copy of the resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138137, accepting subordination agreement, executed by Silvergate Building and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, February 20, 1957, subordinating all their right, title and interest in and to easement for right of way for public street, and public alley and incidents, in portions of Lot 25 Block 5 Stetson's Addition; authorizing and directing City Clerk to file subordination agreement, 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 Evenson, adopted.

RESOLUTION 138138, accepting deed of Oliver E. Waller and Alice C. Waller, February 26, 1957, conveying easement and right of way for street purpose in portion of west one-half of west one-half of north-east quarter Pueblo Lot 1221; naming easement Balboa Avenue; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138139, accepting deed of San Diego Gas & Electric Company, February 20, 1957, conveying portions of Pueblo Lots 1221 and 1222; naming easement Balboa Avenue; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138140, accepting deed of Aylmer G. Biggerstaff and Judith G. Biggerstaff, February 20, 1957, conveying portion of Pueblo Lot 1204; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

In connection with the next resolution, Councilman Kerrigan said he had a question.

J. F. DuPaul, City Attorney, told him that "it was by agreement".

RESOLUTION 138141, accepting deed of Charles William McGrath, also known as C. W. McGrath, also known as Charles W. McGrath, and Carlee June McGrath, also known as June Carlee McGrath, also known as Carlee McGrath, February 25, 1957, conveying Lots 2 to 7 inclusive Block 1 Berkeley Heights, portions of Lot 28 Lemon Villa, portion of Lot 22 Lemon Villa, together with relinquishment of access rights appurtenant to portion of Grantor's property; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.



RESOLUTION 138142, accepting deed of Thomas L. Connor and Marie H. Connor, March 1, 1957, conveying easement for right of way for sewer and drainage purposes in portion of land deed to Thomas L. Connor and Marie H. Connor, October 18, 1949 in Book 3354 Page 86 of Official Records; authorizing and directing City Clerk 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 Evenson, adopted.

RESOLUTION 138143, accepting deed of Doris Sabina Travers, March 4, 1957, conveying easement and right of way for drainage purposes in strip of land 8.00 feet wide, in Lot 44 Block 422 Helpingstine's Addition; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138144, accepting deed of Hidden Valley Hills, Inc., February 18, 1957, conveying easement and right of way for sewer purposes in strip of land 10.0 feet wide in Pueblo Lot 1287; authorizing and directing City Clerk 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 Evenson, adopted.

RESOLUTION 138145, accepting deed of Herbert R. Woodward and Thelma E. Woodward, February 21, 1957, conveying easement for earth excavation or embankment slope or slopes in portion of Lot 12 Lemon Villa; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138146, accepting deed of Southeastern California Association of Seventh-Day Adventists, February 26, 1957, conveying Lot 57 and portions of Lots 54, 55, 56, 58 and 59 Block 103 Ocean Bay Beach; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138147, accepting deed of Annie L. Gray, February 18, 1957, conveying easement for right of way for drain or drains and appurtenances in northerly 6.00 feet Lot 48 Fairhaven Acres; authorizing and directing City Clerk 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 Evenson, adopted.

RESOLUTION 138148, accepting deed of The Roman Catholic Bishop of San Diego, February 19, 1957, conveying easement and right of way for sewer purposes in strip of land 8.00 feet wide in Lot 134 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 Burgener, seconded by Councilman Evenson, adopted.

3/7/57

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

ORDINANCE 7367 (New Series) incorporating Villa Lot 341 University Heights into R-4, as defined by Section 101.0408 of San Diego Municipal Code, and repealing Ordinance 12988 insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Kerrigan. Nays-None. Absent-Mayor Dail.

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

ORDINANCE 7368 (New Series) establishing 30-foot setback line on north side of Montezuma Road, on Lots 1 to 4 inclusive in Block 3 College Park Unit 1, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Kerrigan. Nays-None. Absent-Mayor Dail.

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

ORDINANCE 7369 (New Series), amending Sections 93.1517, 93.1518 and 93.1519 of San Diego Municipal Code, Regulating Fuel Gas Installations, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Kerrigan. Nays-None. Absent-Mayor Dail.

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 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 written or printed copy.

ORDINANCE 7370 (New Series) calling, providing for and giving notice of Special Municipal Election to be held in the City on Tuesday, April 16, 1957, for purpose of submitting to the qualified voters of the City a proposition for ratification of Ordinance 7360 (New Series) authorizing sale and conveyance of portion of Pueblo Lot 1275 and all of Unnumbered Pueblo Lot sometimes referred to as Pueblo Lot 1185; and consolidating the Special Municipal Election with the Municipal General Election to be held on the same date, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

Ordinance amending Article 1 Chapter IX of The San Diego Municipal Code, by adding thereto Section 91.02.2, Regulating Building and Structures, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

Ordinance setting aside and dedicating portions of Lot 17 Rancho Mission of San Diego, as and for public streets, and naming Parcel 1 conveyed therein as Euclid Avenue, and Parcel 2 to be named Westover Place, was on motion of Councilman Evenson, seconded by Councilman Curran, introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

Councilman Curran was granted unanimous consent to present the next item, not listed on the agenda:

He said that Emerald Hills Map was held up, and he thinks the people now feel injured. He asked that the matter be reviewed before being improved.

On motion of Councilman Curran, seconded by Councilman Schneider, Harry C. Haelsig, Planning Director, was requested to bring this subject in to conference next Tuesday.

Councilman Curran, having studied the Airport items, presented at the beginning of this meeting, announced that he "concurs with both resolutions".

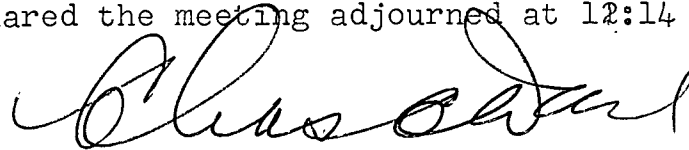
There was returned from Council Conference, by the Council Secretary, communication from San Diego County Water Authority, by Richard S. Holmgren, General Manager and Chief Engineer, dated February 15, 1957. It requests appointment of a representative to meet with the Water Problems Committee of the Authority, re report of the Legal and Claims and Water Problems Committees.

It was filed by the Clerk.

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned at 12:14 o'clock P.M.

ATTEST:  
FRED W. SICK, City Clerk

By August M. Hadstrom  
Deputy



Mayor of The City of San Diego, California

Ord. introduced  
Emerald Hills discussion  
C. "concurred" with airport  
Resolutions  
Conf. items filed  
Meeting adjourned

3/12/57

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, March 12, 1957

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

The meeting was called to order by the Mayor at 10:06 o'clock  
A.M.

The Mayor introduced Rabbi Monroe Levens, of Tifereth  
Israel Synagogue and Center, who gave the invocation.

Councilman Williams entered the meeting

Ordinances and Resolutions for this meeting are recorded on  
Microfilm Roll 127

Bonnie Daye Norton, Point Loma Troupe Senior Girl Scout in  
San Diego County, was introduced by the Mayor. She sat with the Mayor  
during the meeting.

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

Joseph A. Gordon, Machinist Foreman, in charge of Machine  
Shops, Blacksmith, and Welding Shops in the Equipment Division of Department  
of Public Works - presentation by Councilman Kerrigan - 30 years - and Scroll;

Adam Elmer Jansen, Chief of Police - 25 years with the department,  
10 years of which he has been the Chief - presentation by the Mayor.

On motion of Councilman Williams, seconded by Councilman  
Evenson, Minutes of the Regular Meetings of Tuesday, March 5, 1957, and of  
Thursday, March 7, 1957, 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  
hearing on Resolution of Intention 137627, for paving and otherwise improv-  
ing Santa Marguerite Street, the Clerk reported written protests from Tracy  
R. Wilson and Joyce D. Wilson, and E. L. Bartlett.

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

The City Engineer, making a verbal report, said that it is  
a 7½% protest - on the area assessment, and on the assumption that the  
improvement is unnecessary.

RESOLUTION 138149, overruling and denying protests of Tracy  
R. and Joyce D. Wilson, E. L. Bartlett, against improvement of Santa  
Margarita Street, under Resolution of Intention 137627, was on motion of  
Councilman Curran, seconded by Councilman Schneider, was adopted.

On motion of Councilman Schneider, seconded by Councilman

Meeting convened  
Invocation  
Visitor  
Service awards  
Minutes approved  
Hearing

Williams, proceedings were referred to the City Attorney for resolution. Ordering Work.

The hour of 10:00 o'clock A.M. having been set for hearing on Resolution of Intention 137628 for removing certain existing street light standards complete with foundations, luminations, ballasts and with foundations, luminaires, ballasts and lamps, street light conduit and cable and street light service connections in 7th Avenue, 8th Avenue, 9th Avenue, 10th Avenue, and 11th Avenue, between B Street and Broadway; similar work in 12th Avenue, between Russ Boulevard and the northerly line of Broadway; and in B Street and C Street, between 6th Avenue and 12th Avenue - on Resolution of Intention 137628, the Clerk reported various documents filed. They are:

Communication from Young Women's Christian Association, 1012 C Street, March 1, 1957, by Mrs. D. Dale Berlin, "registering concern" because of being a Community Chest, because of no funds budgeted;

Borgerding Investment Co. protesting proposed work;

Communication from Philip P. Martin and Nicholas J. Martin, Surviving Trustees Under the Will of Patrick Martin, Deceased;

Edith Grus communication protest;

Ratner Manufacturing Company, P.O. Box 2112 San Diego 12, by Stanley E. Foster, requesting serious reconsideration of possible value to all people who will be forced to comply;

Many form protests from James Hervey Johnson and others;

Communication from J. Jessop and Sons, by Joseph E. Jessop, stating that "we are very much in favor of this Resolution being passed".

The Engineer, asked for a report, told the Council that there is a 50.8% written protest. He showed a map indicating the protests. He said that the "City-owned lot is not counted, either way".

Councilman Curran moved to abandon the proceedings. Motion was seconded by Councilman Schneider.

J. H. Johnson said to the Council that the petitions in favor are 7th to 9th Avenues - at most. He passed around a marked map. He said that an overwhelming majority is opposed.

Councilman Kerrigan spoke to Mr. Johnson regarding the vicinity of the protest. He said that "people on 'B' (Street) up to 9th want it"; and others do.

Mr. Johnson said that some had refused to take a stand, representing corporations.

Chester Dorman asked what is shown (on the colored map) for his property at the southeast corner of 9th & B.

Councilman Schneider said that "nothing is shown".

Mr. Dorman said that he is in favor of the project, and that who have put in the lights approval the downtown area. He said that "Highway 395 dumps into the area", and that "the new belt line freeway will". Mr. Dorman said that he would not benefit, individually, but that it will help the entire downtown area. He spoke of improvements that have been made, and asked for continuance.

Councilman Schneider spoke to Mr. Johnson about circulation of the protest.

Mr. Johnson said that he "did some of the circulation".

Councilman Schneider spoke to Mr. Johnson about his approach.

Mr. Johnson spoke to Councilman Schneider about the estimate, and the probable assessment on each parcel. There was discussion between them. He said that he understands that this is "the highest price ever charged".

Councilman Schneider said to Mr. Johnson that there might be a division, or a substitution of district.

3/12/57

James Reading, Traffic Engineer (who handles street lighting, as well) was called by the Mayor.

The Mayor said that there might be safety involved.

Mr. Reading said "yes, there is a safety factor, principally for pedestrians, in many cities". He said it is hoped to modernize the lighting for safety; old ones waste approximately 1/2 - sky-ward. He said that there is more lighting from modern systems.

Councilman Schneider discussed with Mr. Johnson regarding value of property, resulting from lighting.

Mr. Johnson said that much of the district is not retail - after 5 P.M. He said that "gas stations have their own lighting systems". He said that by putting on proper reflectors and modern poles, there would be far more light.

Councilman Evenson discussed with Mr. Johnson his statement.

Mr. Johnson said that it would not (more light) induce more retail activity in the area; it would not increase property values and rents.

Councilman Evenson and Mr. Johnson had a discussion regarding non-improvement of property values.

Mr. Johnson said "some think the present standards are not unsightly".

G. H. P. Dellman, asked for views, by the Mayor, was heard. He said that standards here, now, were installed 30 years ago; they are ineffecient, and give about all the illumination that can be expected. He said that refractors that had been put on are still being used. He said that there is no way of taking them, and increasing the lighting. He said that if "something new had arrived", he thinks he "would know about it" through technical and trade journals. He said that lamps talked about by Sylvania are not used in San Diego. He said that units are designed for maximum light on the street itself. Mr. Dellman said he sees no way of modernizing the existing system. He said that lights in the downtown system lent themselves to modernization, but that is not the case here. He said the system is obsolete, and depreciated. He said that there is "no cable fatigue".

The Mayor discussed with Mr. Dellman the new districts.

Mr. Dellman said that "this is the 4th".

The Mayor said that the only way is as has been pursued.

Mr. Dellman said that there are many petitions in favor than has been said. He said that many are concerned about how to pay, because of being Community Chest agencies, applying to the YM and YW - which could go on the bond system. He said that the YM did not know how it would pay.

Councilman Kerrigan, looking at a map, asked why the district was set up on 6th Avenue in such a manner; portion is excluded.

The City Engineer stated that lights have already put in on a portion of the property, and he explained it from the map.

Councilman Curran discussed outstanding assessments with the engineer.

Mr. Reading said that the mercury lamps on 12th Avenue had been put in at City expense - re traffic. He said only their operation is paid for by the property owners; the other lights have been paid off over 14 years.

Councilman Curran spoke to Mr. Wheeler.

Ed Wheeler said to the Council that he may be misinformed.

City Attorney J. F. DuPaul said that charge made to property owners (as in the Wheeler property) is for the current (not the lighting system).

Mr. Reading spoke of paying only 1/2 block from Broadway.

Councilman Kerrigan said that "there are a lot of unanswered questions; hearing should be continued 1 week".

Mr. Hoffman (who did not give his first name or initials) asked "what about the lights of a year ago?" He said he got an assessment of \$47., at 12th and A - they are above the traffic signals. He said the SE corner of 12th & A.



The motion and second were withdrawn.

Councilman Curran said that the assessments on the property should be checked.

Mr. Hoffman said that "it is not consistent for installation of new lights - with green lights above".

Mr. Reading stated that the lights referred to had been put in for illumination above the traffic system, and that they were paid for by the City, less the expense to the district (for current). He said that some lights had been changed when the traffic system was installed, and that property owners "paid only a nominal additional cost".

Councilman Williams spoke to Mr. Reading.

Mr. Reading said that there is the annual bill for current.

Mr. Hoffman said that it was "increased from \$13. to \$47.

Mr. Johnson said that the "YWCA letter was not included in the protest".

RESOLUTION 138150, continuing hearing on proposed installation of street light standards, complete, on 7th Avenue, 8th Avenue, 9th Avenue, 10th Avenue, 11th Avenue, 12th Avenue, B Street and C Street, Resolution of Intention 137628 until 10:00 o'clock A.M., Monday, March 18, 1957; requesting City Engineer to furnish complete report in connection with the proposed improvement, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 137735 for Gregory Street vacation - of a portion - 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 the vacation.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 137736 for vacation of portion of Ivy Street between Pacific Highway and California Street - full width - the Clerk reported no protests.

The City Manager said that the vacation was not recommended.

Mr. Fredman, attorney, spoke of representing property next to Tops, and on the other side.

Councilman Kerrigan said that "there has been a request under the law, for a hearing".

The Mayor said that it had not been recommended for closing.

Councilman Kerrigan said he understands there is a necessity to find necessity (for closing).

Mayor Dail said that the Council can go against, or support, the recommendation; attorneys had insisted on a hearing.

Asked a question, Harry Haelsig, Planning Director, stated that "there is necessity for a street in the future".

Councilman Williams said that there is a recommendation (the statement) from the Planning Commission.

Mr. Fredman spoke to Mr. Haelsig about possibility of use of the street in the future.

Mr. Haelsig replied that "it is often remote that a street will be used".

Mr. Fredman said that Planning Commission has set out 7 objections. He passed around photographs, which he explained. He reviewed the objections, and said that "property owners on both sides joined in the petition (for the closing). He referred to the Council's resolution prohibiting

3/12/57

parking on the north side of Ivy. He repeated that all the lots on the south side of Ivy joined in the petition. He stated that only a portion of the lots on the north side of Ivy could have any objection. Mr. Fredman told of going "south" on Ivy; it dead-ends at the railroad. He stated that the lot owners want the property for light industry, but that they can't get trucks through. He spoke of having report from City Engineer about the storm drain, and word from the Gas Co. what is wanted. He said he had a letter to the Council, which he read. He stated that it has been agreed to give 6 feet along Pacific Highway for widening. He said that plans have no possible use for this street; it will dead-end into the (future) freeway. He said that there have been no plans for the street's use. Mr. Fredman told of having not been notified of the Planning hearing. He said that closing is a legislative action; is referred to Planning only for a report regarding the master plan, and that is only an advisory report. He maintained that Ivy Street is not shown on the master plan. He said that Kalmia Street is closed, and that there are no problems. He spoke of a recent California case to ~~aside~~ set aside a closing. He said that it is discretionary, and is legislative. He stated that property (adjoining the proposed closing) had been purchased for industrial expansion. He said that there is need for access, and that is the reason for requesting the closing. He said that "incidental benefit to property owners is not a factor". He told the Council that the City took the land at no cost; it would only be reverting back to the property owners. He said that it is not possible to "go through", with Solar across the street, and street blocked by an island. He declared that Ivy Street is useless.

Councilman Kerrigan spoke to Mr. Fredman about his not having been before Planning.

Mr. Fredman said that he had answered every objection made by Planning.

Councilman Schneider moved to refer this item to Planning.

Mr. Fredman said that it is "only an adverse report".

Louis Karp, attorney, "representing interests on the south side", spoke.

Councilman Schneider moved to refer the subject to Planning "for answers". Motion was seconded by Councilman Kerrigan.

Councilman Williams stated that there would be no end served by continuance.

Councilman Kerrigan said that Mr. Fredman has not made a report to Planning Commission.

Councilman Curran spoke to Mr. Fredman about access to the property to the north and south. He said it would "not be accomplishing too much by reference back". He said that this could be accomplished (the improvement of the street) under the 1911 Act.

Mr. Fredman said that his clients would be happy to improve it. He said that if it is a public street, however, they can't use it, because of Solar parking. He said that they want to drive trucks to a platform. He added that "nobody can use this street but us".

Councilman Kerrigan spoke from the photograph.

Answering Councilman Kerrigan, who spoke to him, Mr. Fredman said that "all is owned by the 1 property owner".

Mr. Haelsig said that there is another section of the code, not referred to by Mr. Fredman. He told of portion of Washington Street having been closed, and of the City having to buy it back.

Councilman Mayor Dail asked about new evidence before the Commission.

Mr. Haelsig said that "The Commission makes the recommendation"; he "does not".

Councilman Schneider said that the proponents of the closing have the right to present the matter to the Planning Commission.

The roll was called on the motion to refer this item back to Planning. It received the following vote: Yeas-Councilmen Schneider, Kerrigan. Nays-Councilmen Williams, Curran, Evenson, Mayor Dail. Absent-Councilman Burgener. (Motion lost).

Mr. Fredman said that he "still wants a report from Mr. Haelsig".

Mayor Dail said that statement has been made about willingness to improve the street, and about prohibiting parking.

Councilman Williams asked if there is a setback involved.

Mr. Fredman replied that it is partially M-1 and partially C.

Mr. Haelsig said that the only setback is 6 feet on Pacific Highway.

Mr. Haelsig told of there being loading docks in the City at other locations.

Mr. Fredman said that building cannot be placed over a street; there would be an area left blank.

Mr. Karp told of easement having been offered.

Councilman Kerrigan discussed, from the photograph, ownership and access.

Mr. Fredman stated that "California Street will still go through".

Harry Wax told of having made an effort to buy lots to the north; street will have to be improved. He said that it is impossible to talk to the owners of that property.

Mr. Fredman said, again, that there is no break-through at Pacific.

Mr. Wax said that plans for building are not firm. He spoke of wanting to come to California, and of wanting to go to the north and south.

Councilman Kerrigan said that the property could be resubdivided, and made useable. He said he thinks that problem can be worked out. He said that the property can be improved, and served.

Mr. Wax told of having a survey made, and of willingness to make the expenditure to make the property useable.

Councilman Kerrigan said that "there are things that can be worked out".

The Mayor asked if there were any protests.

There were none.

The Mayor spoke to Mr. Karp.

Mr. Karp said that it would be "left open, with no parking, owners would pay for the improvement". He said that if closed, it would be left for own parking. He said that his clients would be willing to subdivide. He said that unless able to use the north 1/2 of Ivy for Parking (by his clients) he could not see why it should be paid for. He said that now "it is only used for illegal parking". He said that use of Ivy Street by the public....there are no plans for use on account of the State Highway. He said that 18 millions of dollars are going to be spent on the Date Street overpass. He said that there would be greater benefit to close than to keep open. He told of offers. Answering a question, Mr. Karp said that it has been open 50 years. He pointed out that when the street was dedicated, it was possible to turn left and right - and it was some sense, then. He said "there is no public use" (now).

Mayor Dail said that if there is a motion to close, the City departments should obtain the necessary easements.

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

Councilman Williams moved to continue the hearing 1 week, to allow City departments to arrange for necessary dedications.

City Attorney J. F. DuPaul said that this might be referred to the City Attorney to prepare the resolution to secure rights of way.

Mayor Dail left the meeting

Vice Mayor Williams took the Chair

Councilman Williams seconded the motion, just as the Mayor left. He then said, as he took the Chair, that it made a situation that needed correcting.

Councilman Kerrigan moved to continue the hearing 1 week - for information (Monday, rather than Tuesday). Motion was seconded by Councilman Schneider.

3/12/57

The City Attorney pointed out that the Council would meet next Monday - in the Supervisors' chambers (due to the remodeling of the Council chambers).

Councilman Kerrigan said that hearing could be continued 1 week, and be continued again.

RESOLUTION 138151, continuing hearing on proposed vacation of portion of Ivy Street, between Pacific Highway and California Street, Resolution of Intention 137736, until 10:00 o'clock A.M., Monday, March 25, 1957, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 137737 for vacating portions of Roanoke Street, Gaviota (Calle), Sea Breeze Drive and Rancho Hills Drive, Resolution of Intention 137737, the Clerk reported no protests.

Harry Haelsig, Planning Director, said that it is a paper street, regarding a subdivision. He showed the Council a map, which he explained from a plat. He said that it is advisable to close.

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

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

Mr. Haelsig made a detailed explanation to Councilman Kerrigan, who had talked to him.

On motion of Councilman Schneider, seconded by Councilman Curran, proceedings were referred to the City Attorney for Resolution Ordering the vacation.

In connection with continued hearing on the next item scheduled - for improvement of Kurtz Street, it was pointed out that it would involve a "6-vote resolution of feasibility" - so the item was held temporarily.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on furnishing electric energy in Talmadge Park Lighting District 4 for 1 year from and including April 1, 1957, 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.

Councilman Kerrigan was excused

RESOLUTION 138152, adopting as a whole Engineer's Report and Assessment for Talmadge Park Lighting District 4, 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 for paving and otherwise improving Alley Block 22 Ocean Beach Park, the Clerk reported written appeal from Yvonne E. Nelson.

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

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

Asked for a report, the City Engineer said that it was a 3.5% appeal - "regarding notice mixup".

Councilman Kerrigan returned to the meeting

RESOLUTION 138153, overruling and denying appeal of Yvonne

E. Nelson from Street Superintendent's Assessment 2564 made to cover costs and expenses of paving and otherwise improving Alley Block 22 Ocean Beach Park, Resolution of Intention 134644; overruling and denying all other appeals; confirming and approving the assessment, authorizing and directing Street Superintendent to attach his warrant and issue it in manner and form provided by law; directing 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 2565 made to cover cost and expenses of paving and otherwise improving Alley Block 40 Ocean Beach, Resolution of Intention 132783, the Clerk reported no appeals.

The Vice Mayor inquired if anyone was present to be heard. No one appeared to be heard, and no written protests were filed.

RESOLUTION 138154, confirming and approving Assessment 2565 made to cover cost and expenses of paving and otherwise improving Alley Block 40 Ocean Beach; 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 2566 made to cover costs and expenses of paving and otherwise improving Alleys in Catalina Terrace, Resolution of Intention 134755, the Clerk reported written appeals from Curtis H. Kindig, Gene N. and Sarah D. Davis, Joseph P. and Ruth V. Paschal.

The City Engineer reported, verbally, 21.4% appeal - regarding "unequal assessments". He pointed out to the Council that there are lots of different sizes.

The Vice Mayor inquired if anyone was present to be heard. Curtis Kindig said that "billing should be on a more equitable basis." He said that Lot 10 is of no use, but "it is paying the most".

Mayor Dail returned to the meeting

The City Engineer explained the improvement and the property, from a map. He said that assessment was spread 80% to the frontage, 20% to the area. He related individual assessments, and said that it is an "equitable assessment".

Willard Olson, from the City Engineer's office, said that there are "no splits" (of property).

Mr. Kindig discussed the street pavement assessment distribution. He said that he does not see why there is not an equal assessment.

Individual Councilmen discussed the situation with Mr. Kindig.

Councilman Kerrigan said that this could be continued 1 week, regarding review of another system of assessment.

RESOLUTION 138155, continuing hearing on Assessment 2566 made to cover costs and expenses of paving and otherwise improving Alleys in Catalina Terrace, Resolution of Intention 134755, until 10:00 o'clock A.M., Thursday, March 14, 1957, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Mayor Dail was excused

After the Mayor had left, Councilman Curran spoke of there being a long docket, and of Mr. Golden wanting to be heard on the Kurtz Street improvement, which had been held.

3/12/57

A majority of the members of the Council signed undertaking with San Diego Gas & Electric Company for La Jolla Lighting District 1.

Report of Purchasing Agent, approved by City Manager, on low bid of Ets-Hokin & Galvan for installation of Traffic Signal and Safety Lighting Systems at intersections of Morena Boulevard and Weeks Avenue; Morena Boulevard and Milton Street; Morena Boulevard and Clairemont; relocation of Safety Lighting Standards on Morena Boulevard at Napa Street, and at Linda Vista Road - \$41,111.00 - 4 bids - was presented.

RESOLUTION 138156, accepting bid of Ets-Hokin & Galvan for installation of traffic signal and safety lighting systems; relocation of safety lighting standards; 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, approved by City Manager, on low bid of Greenwood Cemetery Association for furnishing City's requirements of Burial Boxes for period of 1 year beginning March 1, 1957, was presented. It says that there were 2 bids, but "alternate" low bid of San Bernardino Vault Company does not meet delivery requirements and is not acceptable. It gives a detailed report on the 7 items involved.

RESOLUTION 138157, accepting bid of Greenwood Cemetery Association for furnishing Burial Boxes; 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.

Report from Purchasing Agent, approved by City Manager, on low bid of Minnesota Mining & Mfg. Co. for furnishing 300 - 24"x24" Boulevard Stop Scotchlite Panels - \$1,080.00 plus Tax terms net, plus Tax - 2 bids - was presented.

RESOLUTION 138158, accepting bid of Minnesota Mining & Mfg. Co. for furnishing 300 Boulevard Stop Scotchlite Panels; 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 Curran, adopted.

Report from Purchasing Agent, on low bid of V. F. Nelson, Inc. for furnishing Rental of 1 Tractor Drawn Compactor for approximately 15 days, beginning March 15 - \$3,200.00 - 2 bids - was presented.

RESOLUTION 138159, accepting bid of W. F. Nelson, Inc. for furnishing rental of 1 Tractor Drawn Compactor; authorizing majority of members of Harbor Commission to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Report from Purchasing Agent, on low bid of Nielsen Construction Co. for Items I and II for Rehabilitation of Botanical Building in

Lighting agreement signed  
Purchasing reports  
138156 - 138159



Balboa Park - \$57,685.00; 5 bids - was presented. Recommendation is approved by City Manager.

RESOLUTION 138160, accepting bid of Nielsen Construction Company for Rehabilitation of Botanical Building, Items I and II; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent on low bid of W. S. Rockwell Company for furnishing 1 30" Butterfly Valve - \$3,614.00 f.o.b. Fairfield, Conn., (estimated freight \$150.00) terms net, plus Tax - 3 bids - was presented.

RESOLUTION 138161, accepting bid of W. S. Rockwell Company for furnishing 1 30" Butterfly Valve; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent on low bid of L. E. Singleton Painting Contractor for preparation and painting of exterior surfaces of Balboa Bowl, Balboa Park - \$1,595.00 - 7 bids - was presented.

RESOLUTION 138162, accepting bid of L. E. Singleton Painting Contractor; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent, approved by City Manager, on low bids for furnishing lumber:

(a) Western Lumber Company, Items 1 and 2 - \$712.50 terms 2% plus tax;

(b) Dixie Lumber & Supply Company, Items 3, 4, 5 - \$692.97 terms 2% plus tax - was presented.

RESOLUTION 138163, accepting bids of Western Lumber Company and Dixie Lumber & Supply Company for furnishing lumber; 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.

Report of Purchasing Agent, approved by City Manager, on bids for furnishing 30 tons of Palm Fibre Stalks for street sweepers, received February 8, 1957, award made to American Brush Materials Company by Resolution 137765, was presented. It says that by letter the company advises that due to ocean freight increases there would be an advance of \$10.00 per ton, and it recommends that award be rescinded.

RESOLUTION 138164, rescinding Resolution 137765, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138165, accepting bid of Don A. Wren & Company for furnishing 30 tons of Palm Fibre Stalks; 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 Evenson, adopted.

3/12/57

RESOLUTION 138166, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Photo-Charging Equipment for the Public Library, under Document 549383, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138167, authorizing and directing Purchasing Agent to advertise for sale and sell 35 items of motor vehicles, no longer desirable for use or retention by the City, as recommended by the City Manager to the Purchasing Agent - all costs in connection of the sale to be deducted from proceeds from the sale - was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, by Richard L. Weiser, recommending reapproval of tentative map of 2-lot subdivision of portion Lot 66 Point Loma Villas, subject to conditions of Resolution 120557, was presented.

RESOLUTION 138168, reapproving tentative map of Point Loma Villas, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from the Street Superintendent stating that because of change in street alignment, closing of small sector of Sand Rock Road is required at southwesterly corner of Sand Rock Road and Greyling Drive, in connection with Cabrillo Heights Business Center Unit 2, approved by Resolution 137613, was presented. It recommends that City Attorney be authorized to file disclaimer in case of Ed Fletcher Company, 213080, being complaint to quiet title instituted by Ed Fletcher Company.

RESOLUTION 138169, authorizing City Attorney, on behalf of The City of San Diego, to file disclaimer in Case 213080 pending in Superior Court, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

A form from California Roadside Council, 12 Garces Drive, San Francisco 27, entitled "The Bulletin--In Brief, Winter 1957 Issue, was presented. It has to do with Federal Billboard Legislation, etc.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, it was filed. The original motion was for reference to the City Manager, and the motion was changed to filing.

Communication from J. F. DuPaul, City Attorney, reporting on request made in Council Conference of February 28, 1957, re the Los Angeles ordinance having to do with protective devices re swimming pools, was presented.

RESOLUTION 138170, referring to Council Conference communication from City Attorney re unfenced swimming pools, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Leon Westmoreland, Managing Editor of Navy News Magazine, 3738-40 El Cajon Boulevard, San Diego 5, dated March 7, 1957, was presented. It congratulates Mr. (Councilman) Burgener on his stand relative to the Municipal Airport controversy, was presented.

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

Communication from San Diego City-County Band & Orchestra Commission, requesting approval of 2 musical events, was presented.

RESOLUTION 138171, approving music program submitted by City-County Band and Orchestra Commission, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138172, directing notice of filing Assessment 2576 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 50 Park Villas, Resolution of Intention 130669, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138173, directing notice of filing Assessment 2574 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 61 Park Villas, Resolution of Intention 133204, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138174, directing notice of filing Assessment 2573 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 1 Reed's Ocean Front Addition, Resolution of Intention 131176, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138175, directing notice of filing Assessment 2575 and of time and place of hearing thereof, for paving and otherwise improving Gardena Avenue, Gardena Place and Public Right of Way in Pueblo Lot 265, Resolution of Intention 133344, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138176, directing Purchasing Agent to re-advertise for sealed proposals or bids for paving Chalcedony Street, Law Street, Beryl Street, Geranium Street, et al, Resolution of Intention 135354 - on which no sealed proposals or bids, or any bids, were offered for the doing of said work on November 20, 1956 Ordering Work Resolution 136291, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138177, approving plans, drawings, typical cross-sections, profiles and specifications, for paving and otherwise improving Calle Aguadulce, Calle Tocon, Roanoke Street, Cumberland Street, Winchester Street, and establishing official grades; approving Plat 2912 showing exterior boundaries of district to be included in assessment for the work and improvement; directing City Clerk, upon passage of Resolution of Intention, to file plat in office of City Engineer, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 138178, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Jellett Street, Kane Street, and establishing official grades; approving Plat 2919 showing exterior boundaries of district to be included in assessment for the work and improvement; directing City Clerk, upon passage of Resolution of Intention, to file plat in office of City Engineer, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

3/12/57

Councilman  
Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 138179, determining that public interest and convenience require additions, changes or deletions to work and improvement, under Resolution of Intention 137253, for paving and otherwise improving 55th Street, 56th Street, 58th Street, Orange Avenue and Trojan Avenue, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The resolution makes the change.

RESOLUTION ORDERING WORK 138180, for paving and otherwise improving 55th Street, 56th Street, 58th Street, Orange Avenue and Trojan Avenue, Resolutions of Intention 136299 and 137253, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 138181, for paving and otherwise improving Amalfi Street, Torrey Pines Road, Resolution of Intention 137250, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 138182, for paving and otherwise improving Donna Avenue and Celia Vista Drive, Resolution of Intention 137374, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING WORK 138183, for paving and otherwise improving 49th Street, Public Rights of Way, Lot 164 Block 2 Resubdivision of Blocks 1 through 12 Fairmount Addition, Resolution of Intention 137251, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING WORK 138184, for paving and otherwise improving Lillian Street, Viola Street, Gertrude Street, Bianca Avenue, Hilda Road, Ellsworth Street, Crown Street, Onstad Street, et al., Resolution of Intention 137375, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING WORK 138185, for installation of sewers in Soledad Road, Resolution of Intention 137252, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138186, directing notice inviting sealed proposals for furnishing electric energy in Talmadge Park Lighting District 3, for 1 year from and including March 1, 1957, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 138187, for paving and otherwise improving Calle Aguadulce, Calle Tocon, Roanoke Street, Cumberland Street, Winchester Street, and establishing official grades

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

RESOLUTION OF PRELIMINARY DETERMINATION 138188, paving and otherwise improving Jellett Street, Kane Street, and establishing official grades, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138189, for sidewalking 55th Street, Hardy Avenue, Lindo Paseo, ~~Campanile Drive~~, and establishing official grades, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138190, ascertaining and declaring wage scale for paving and otherwise improving Santa Fe Street, Balboa Avenue, and establishing official grade, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 138191, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 23 Bird Rock Addition, Resolution of Intention 135094, and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 138192, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block J Montecello, and Monroe Avenue, Resolution of Intention 135213, and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 138193, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving San Luis Obispo Place; Alleys Blocks 119, 120, 123, 124, 128, 131, 132, 135, 136, 139, 140, 143, 144, 148 Mission Beach, Resolution of Intention 134643, and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 138194, accepting bid of Al E. Riley, Inc., and awarding contract for paving and otherwise improving Alley Block 29 Fortuna Park Addition, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 6.1% above the estimate.

RESOLUTION OF AWARD 138195, accepting bid of Moreno Brothers, a corporation co-partnership, and awarding contract for paving and otherwise improving Morena Boulevard, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

City Engineer reported in writing that low bid is 8.4% below the estimate.

RESOLUTION 138196 is shown on page 275.

RESOLUTION OF AWARD 138197, accepting bid of Kenneth H. Golden Co., Inc., and awarding contract, for paving and otherwise improving Locust Street, Resolution of Intention 136517, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

City Engineer reported in writing that low bid is 21.1% above the estimate; postal card survey shows those who returned cards 67% of frontage asked award; 33% of frontage asked for abandonment.

RESOLUTION OF AWARD 138198, accepting bid of San Diego Gas & Electric Company, and awarding contract, for furnishing electric energy in Talmadge Park Lighting District 1, for 1 year from and including March 1, 1957, was on motion of Councilman Schneider, seconded by Councilman by Councilman Evenson, adopted.

RESOLUTION 138199, determining and declaring that public interest, convenience and necessity of The City of San Diego require construction, operation and maintenance of public road and street across portion of Pueblo Lot 1289; that public interest, convenience and necessity demand acquisition of fee title to the property, to be used by the City for said purposes; declaring intention of The City of San Diego to acquire the 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 acquiring the property, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138200, approving regulations adopted by the Director of Public Works - listed in the resolution - consistent with general policy established by the Council (into the Sewerage system) - was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138201, authorizing City Manager to accept work on behalf of The City of San Diego in Cabrillo Village Unit 1 Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138202, authorizing City Manager to accept work on behalf of The City of San Diego in Clairemont Unit 17 subdivision and have it recorded (Notice of Completion), was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138203, authorizing and empowering City Manager to do all work in connection with installation of additional chlorinator, evaporator, and appurtenant recording devices at Sewage Treatment Plant, by appropriate City forces, in accordance with said recommendation, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138204, authorizing and empowering City Manager to



RESOLUTION OF AWARD 138196, accepting bid of Moreno Brothers, a co-partnership, and awarding contract, for paving and otherwise improving Alley Block 299 Pacific Beach, Resolution of Intention 136787, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Cit-y Engineer reported in writing, that low bid is 10.1% the estimate.

RESOLUTION 138204 - continued from page 274 - to do all work in connection with installation of water mains, valves, and fire hydrants on Illion Street, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138205, authorizing and empowering City Manager to do work in connection with installation of water mains, meters, transfer services, and connections in conjunction with work being done for "Unit 201 Main Extensions and Replacements", by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman ~~Schneider~~, seconded by Evenson, adopted.

RESOLUTION 138206, authorizing City Manager to employ Daley Corporation to do work in connection with Nogal Street under 1911 Street Improvement Act proceedings, cost not to exceed \$682.15, payable from Ordinance 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138207, authorizing and empowering City Manager to execute, for and on behalf of the City, Utilities Agreement 6731 with State of California, Department of Public Works, Division of Highways, covering relocation of water line in connection with improvement of highway XI-SD-12-A,SD, Document 549537, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138208, 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 southeast quarter Lot 42 Horton's Purchase, 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 the property be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 138209, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lot 5 in Pueblo Lot 275, 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 the property be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 138210, acclaiming Mouney C. Pfefferkorn as one of the foremost and active civic, cultural and athletic leaders of the City of San Diego, and highly recommend his life as a worthy example to the youth of the City of San Diego, and commending him for his splendid civic career, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

The Resolution goes, in detail, to Mr. Pfefferkorn's activity in civic affairs, cultural and athletic activities since the days of the first world war, when as a citizen of San Diego, he headed the committee of foreign-born citizens in liberty bond campaigns. In addition to many other items, it says that Mr. Pfefferkorn has received 2 citations from the Navy, and is holder of Honorary Navy Recruiter Card No. I, and that he and his associates raised \$250,000.00 for acquisition of land for the Navy Training Center and the Marine Corps Base, and has assisted in welcoming every Commandant since establishment of the Eleventh Naval District.

RESOLUTION 138211, accepting subordination agreement, executed by A. L. Dennstedt, beneficiary, and Security Title Insurance Company, trustee, February 25, 1957, subordinating all their right, title and interest in and to easement for right of way for public street and incidents, in westerly 15.00 feet Lots 40 and 41 Block 15 Swans Addition; authorizing and directing City Clerk to file subordination agreement, 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 Evenson, adopted.

RESOLUTION 138212, accepting deed of Michael J. Caputa and Marie Caputa, February 6, 1957, conveying easement and right of way for street purposes in westerly 15.00 feet Lots 40 and 41 Block 15 Swan's Addition; naming easement Roseview Place; authorizing and directing City Clerk 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 Evenson, adopted.

RESOLUTION 138213, accepting deed of Paul Dumler and Angelina Dumler, February 27, 1957, conveying easement and right of way for street purposes in easterly 15.00 feet Lots 17 through 24 inclusive Block 15 Swan's Addition; naming easement Roseview Place; authorizing and directing City Clerk 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 Evenson, adopted.

RESOLUTION 138214, approving plans, specifications and official grades for paving and otherwise improving Revere Avenue, Glendora Street, Pacific Highway, Documents 493342 and 548868; approving Plat 2911 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk, upon passage of Resolution of Intention, to file plat in office of City Engineer, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 138215, for paving and otherwise improving Revere Avenue, Glendora Street, Pacific Highway, and establishing official grades, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 138216, for paving and otherwise improving Sumac Drive, Modesto Street, Juniper Street, Laurel Street, Alley Block 21 Lexington Park, Columbine Street, Olive Street, Alleys in Block 19 Lexington Park, et al, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 138217, for paving and otherwise improving Birch Street, and establishing official grade, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 138218, for paving and otherwise improving Franklin Avenue, and establishing official grade, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138219, 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, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138220, adopting recommendation of City Engineer, Document 548979; authorizing City Engineer to amend proceedings for improvement of portion of Silvergate Avenue and Wilcox Street, in accordance with the recommendation, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

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

ORDINANCE 7371 (New Series), amending Chapter IX Division 5 of San Diego Municipal Code by amending Section 95.0103 thereof, and by adding thereto 7 new sections to be known as and numbered Sections 95.0103.1, 95.0103.2, 95.0103.3, 95.0103.4, 95.0103.5, 95.0103.6 and 95.0103.7, Regulating Signs in Certain Zones, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Burgener, Mayor Dail.

On motion of Councilman Curran, 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 7372 (New Series), amending Section 101.0505 of San Diego Municipal Code relating to Conditional Use Permits, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Burgener, Mayor Dail.

Prior to adoption of the Ordinance, Harry Haelsig, Planning Director, made a verbal explanation to Councilman Kerrigan at his request.

3/12/57

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

ORDINANCE 7373 (New Series), amending Article 3 Chapter IX of the ~~Municipal~~ San Diego Municipal Code, renumbering certain sections, repealing certain sections, and repealing Ordinances numbers 2407 N.S., 2408 N.S., 3278 N.S., 3839 N.S., 4408 N.S., 4479 N.S., 4577 N.S. 4621 N.S., 4793 N.S., and 4894 N.S., Regulating Plumbing Installations, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Nays-None. Absent-Councilman Burgener, Mayor Dail.

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

On motion of Councilman Schneider, seconded by Councilman Evenson, it was introduced at the same meeting.

ORDINANCE 7374 (New Series), appropriating \$63,500.00 out of Capital Outlay Fund for providing funds for repair and restoration of the Botanical Building in Balboa Park, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Burgener, Mayor Dail.

On motion of Councilman Schneider, seconded by Councilman Curran, Ordinance setting aside and dedicating portion Lots 4 and 5 Block 412 H. C. Skinner's Addition, as and for portion of public street, and naming it Alpha Street, was introduced, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Burgener, Mayor Dail.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance setting aside and dedicating portions of land in Lot 25 Block 5 Stetson's Addition, as and for public street and public alley; Parcel 1 to be named Florence Street, and Parcel 2 to be dedicated as a public alley, was introduced, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Burgener, Mayor Dail.

Mayor Dail returned to the meeting

The Council resumed the hearing which had been continued, temporarily, on Resolution of Preliminary Determination 137630, for paving and otherwise improving Kurtz Street (hearing had been held on the same Resolution on March 5, 1957, also), Morley Golden appeared. Mr. Golden said that he had investigated the area, and found that the street is 38 feet, is paved and has curbs. He told of having investigated Kurtz Street east, and of nearby area. He said that it "was done exactly the same" as he was talking about. He said that at 48 feet it would interfere with development of property (and developed property). Mr. Golden told the Council that "people who want to lease, or buy, have gone elsewhere". He said that property would be priced out of the market, if it keeps going. He said that continual whittling reduces the property, and is not needed for

7373 N.S. - 7374 N.S.  
Ords intr.

Hearing - which had been held - resumed

paving. He said that the need is only for surfacing; "it would not help the City, or the property owners". He said that property owners are 100% against it "in this area".

The City Engineer explained ownerships from a plat. Individual Councilmen held discussions with him.

Wm. O. Morris told of owning a market at Houston and Kurtz. He said that "it is all acreage, and that the road was adequate for the many people during the war". He said that it is only a hot-rod road to the dyke. He said that if the project goes through, it would kill his parking lot and his business. He told of having never been bothered by rain - for 9 years. Mr. Morris told of house being in the middle of Houston.

The City Engineer said to the Council that there is a 48.4% protest, and "that includes all".

Mr. Morris said that he would lose trailer spaces. He said that "there is more than a 60% protest - Houston to the dyke".

E. W. Blom, Asst. City Manager, said that it has been compromised from a 70-foot right of way, and that there should be a 48-foot paving in an industrial area.

Councilman Schneider asked Mr. Golden if the situation is a disadvantage - now.

Mr. Golden said that it is not widening 1 foot, 1 inch. He said that 12 feet would be taken from his sidewalk, for a future sidewalk. He said that development will provide turning room and walking area. He said that it is unjust to take 12 feet, and not pay for it, and then charge for the paving.

Councilman Schneider said that perhaps the whole job can be done.

Mr. Golden stated that his objection is to the taking of the property.

Councilman Kerrigan held a discussion with Mr. Golden.

Mr. Golden said that no acquisition is provided for on the other side; the building is on the property line.

Mr. Blom said that there is a comparatively new section in the 1911 Act having to do with acquisition.

Councilman Kerrigan said that property would be paid for.

Mr. Golden said that his objection is to the "taking".

Mr. Blom said that there is only \$5,000. available for acquisition of right of way. He pointed out that the City of San Diego would dedicate 55 feet; owners who do not have frontage would probably be willing to dedicate. He said that the market value could not be paid from the 1911 Act.

Mr. Morris said that there is only 1 house; the City controls most of the land.

Mr. Blom said that the City could buy the right of way, and that it would not have to be part of the 1911 Act.

Mrs. Nelson C. Hubbell, told the Council that "the Engineer says it is an exceptionally long street".

August Weischedel said that he owns 133 feet of property on Kurtz, and that "it is plenty wide enough".

Councilman Curran said that the City is still waiting for a report (a community plan) on the Midway area.

The Mayor said that "it may not ever come".

City Attorney J. F. DuPaul said that it would have to be continued week-to-week, to keep jurisdiction. He advised the Council to "either adopt this resolution", or abandon the project.

Mr. Blom said that at the north end there is no access. He said the City is willing to provide right of way, but substandard surface should be removed, because it is badly disintegrated. He said this situation was brought to the Council several months ago, and the Council thought that entire street should be included. He said he does not know what immediate plans are.

Councilman Schneider said that if there were a whole community plan there would be a different aspect.

3/12/57

Mr. Blom spoke about this having been delayed for months, because of the Frontier community plan.

Councilman Schneider said that "people on Kearny waited for several years".

Councilman Kerrigan said that the "Council is faced with a 6-vote resolution day".

Councilman Evenson moved to abandon the proceedings. Motion was seconded by Councilman Schneider.

Councilman Williams said that the Council "has voted against abandonment at this point (in the proceedings)".

Councilman Kerrigan said that if proceedings are not abandoned today, it goes to the Debt Limitation.

The City Attorney said that the motion is to abandon; if killed, the Council can vote on the 6-vote resolution of feasibility.

The motion and second were withdrawn.

RESOLUTION 138221, overruling and denying protest of M. H. Golden Construction Company by Robert M. Golden, protests of Robert M. Clough and Robert O. Peterson, L. Bruce Stallard, Lawrence O'Connell, William E. Bennett and Eleanor V. Bennett, William O. Morris; verbal protest of August Weischedel, against improvement of Kurtz Street and acquisition of public rights of Way, under Resolution of Preliminary Determination 137630; overruling and denying all other protests, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 138222, determining that improvement of Kurtz Street and acquisition of Public Rights of Way, Resolution 137630 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment; also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

In connection with the preceding hearing, the City Manager and Planning Department were requested to provide the Council with reports on the Frontier development, which is also known as Midway.

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

RESOLUTION 138223, authorizing Aaron W. Reese, Assistant City Attorney, to attend meeting of Legislative Committee of California Municipal Utilities Association to be held in Sacramento, California, Wednesday, March 13, 1957, and incur all necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The Mayor declared the meeting adjourned at 12:45 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadistron*  
Deputy

*August M. Hadistron*  
Mayor of The City of San Diego, California

Hearing (which had been held up)  
138222 - 138223 (the latter by U.C.)

Meeting adjourned



## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, March 14, 1957

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

Absent--Councilman Burgener

Clerk---Fred W. Sick

Meeting was called to order by the Mayor at 10:11 o'clock A.M.

Ordinances and Resolutions are recorded on Microfilm Roll 127.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Assessment 2566 made to cover costs and expenses of paving and otherwise improving the Alleys in Catalina Terrace, Resolution of Intention 134755, Willard Olson of the City Engineer's office, was heard. He said that the assessment had been "worked out under the regular method". He said the corner lot assessment is reduced, and others increased. He explained details to the Council, as he pointed out the assessment plat.

Councilman Williams said that this is "accomplishing what was wanted".

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

RESOLUTION 138224, overruling and denying appeals of C. H. Kindig, Joseph P. Paschal and Ruth V. Paschal, Gene N. Davis and Sarah D. Davis, against Street Superintendent's Assessment 2566 made to cover costs and expenses of paving and otherwise improving Alleys in Catalina Terrace, Resolution of Intention 134755, overruling and denying all other appeals, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138225, requesting Street Superintendent to modify Street Superintendent's Assessment 2566 made to cover costs and expenses of paving and otherwise improving Alleys in Catalina Terrace, Resolution of Intention 134755, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 138226, approving Street Superintendent's modified and corrected Assessment 2566 made to cover costs and expenses of paving and otherwise improving Alleys in Catalina Terrace, Resolution of Intention 134755; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing Street Superintendent to record in office of Street Superintendent the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on rezoning portion Lot 18 La Mesa Colony from R-1 to R-4, at northwest corner of Seminole Drive and Acorn Street, Councilman Schneider spoke to Harry Haelsig, Planning Director. Councilman Schneider spoke of there having been "considerable local heat". He discussed with Mr. Haelsig the "jumping" of R-2. He said there could be meritorious use of R-2.

Mr. Haelsig identified the proposed improvement.

Councilman Schneider said that there would be merit in not harming either side.

Mr. Haelsig said that Councilman Schneider's proposal (for R-2 zone) had not been mentioned by either side.

Meeting convened  
Hearings  
138224 - 138226

3/14/57

Councilman Kerrigan discussed with Mr. Haelsig the Planning Commission's review, and action. He pointed out the property on a map. He said "63rd Street closing was denied - because it was a dedicated street".

Councilman Schneider said that "2 to a lot would be much less undesirable than 48".

Mr. Haelsig said that the Council had asked for a report on the whole area, last week. He said that there have been a number of variances for single-family residences, and for the radio towers. He read a statement of past conditions, and said that KCBQ has an application for another location. He said that it would be a commercial use, surrounded by residences, except for a portion (presumably the radio towers location). He filed the letter of report, and explained, further, from a map. He said that "the greater number of residences, the greater the traffic".

Councilman Kerrigan discussed with Mr. Haelsig about proposals, on a map.

Mr. Haelsig pointed out existing conditions, on the map.

There was general discussion.

Councilman Williams said that the radio towers property is being left to the request of the property owners.

Mrs. Gegag said she understood it to be kept as R-1.

Councilman Williams said that "if there is an R-4 wedge..." (but did not complete the statement)

Councilman Kerrigan stated that Planning would oppose C Zone.

Councilman Schneider held a discussion with Mrs. Gegag about his idea for R-2.

Mrs. Gegag said that she would be willing to compromise to R-2.

Councilman Kerrigan said that the Council has a recommendation from Planning, and that it would have to overrule Planning, if changed.

"Tye" Tyson, the petitioner for the zone change, stated that R-2 is impractical for the area. He told of existing R-4 in the vicinity, and said that the property is contiguous to R-4 and R-2. He reviewed the Planning recommendations. He repeated that property would be of such value that it would be impractical to put R-2 on the property. He said he "would have to live" with the buffer. He pointed out that he would have to have parking for the proposed development.

Mayor Dail left the meeting

Vice Mayor took the chair as presiding officer

Mr. Tyson said that property had formerly been given to the City; there is now a 1911 Act to improve Seminole. He pointed out that protestants (to this proposed zone change) are happy to have right of way and improvements, at no cost to them. He said that "he" has tried to cooperate with the City, and that he can't go along with R-2. He declared that the Council should follow R-4, as recommended by Planning.

Councilman Schneider said that R-4 allows a good many variations of use.

Mr. Tyson spoke to Councilman Schneider about property to the north and east being "filled". He said he would put up advantageous structures that would raise values.

Councilman Schneider said that he is not in agreement with R-4; it takes 5 votes to overrule Planning; there are 2 members of the Council absent.

Mrs. Gegag said she took out the petition to have the street paved; she gave easement; she wants the improvement.

Councilman Schneider asked when Councilman Burgener (who is out of the City) would return.

The Vice Mayor replied "next week".

Councilman Curran spoke about the development, and of the indication that it will be multiple.

Mayor Dail returned

Councilman Curran held a discussion with Mr. Haelsig, who pointed out property on the map, as he had previously.

The Planning Director pointed out to the Vice Mayor the proposed rezoning, and the development.

Councilman Curran moved to "adopt the Planning Commission's recommendation". Motion was seconded by Councilman Evenson. (The motion was corrected to "introduce the ordinance").

Ordinance incorporating portion of Lot 18 La Mesa Colony into R-4 Zone, as defined by Section 101.0408 of San Diego Municipal Code, and repealing Ordinance 13558 insofar as it conflicts, was introduced, by the following vote: Yeas-Councilmen Kerrigan, Curran, Evenson, Mayor Dail. Nays-Councilmen Williams, Schneider. Absent-Councilman Burgener

(Since introduction of the ordinance was in accordance with Planning's recommendation, only 4 affirmative votes were required).

Petition of J. A. Arey, 2559 Fairmount, et al., requesting permission to circulate petitions for annexation to City of San Diego of portion of Mission Valley area, was presented.

RESOLUTION 138227, referring petition requesting permission to circulate petitions for annexation to the City of property to be known as "Grantville-Rancho Mission Tract", document 549555, to the Planning Commission, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

#### Purchasing Agent

Report of ~~Planning-Commission~~, approved by City Manager, on low bid of Walter H. Barber, for construction of Storm Drain in Revillo Drive, Rolando Boulevard, and University Avenue - \$40,269.81; 5 bids - was presented.

RESOLUTION 138228, accepting bid of Walter H. Barber for construction of Storm Drain; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, 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 John Hansen for furnishing rental of 3 5-yd. Dump Trucks @ \$5.72 per hour; 1 3/4-yd. Skip Loader @ \$8.50 per hour for approximately 1 week beginning about March 18, 1957 - for hauling riprap and clean up work at Torrey Pines Golf Course - estimated cost \$1,026.40; 3 bids - was presented.

RESOLUTION 138229, accepting bid of John Hansen for furnishing rental of Dump Trucks; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Al E. Riley, Inc. for improvement of Balboa Drive and Quince Street (including grading preparation of subgrade, construction of curbs and inlets and paving) - \$15,292.03; 4 bids - was presented.

RESOLUTION 138230, accepting bid of Al E. Riley Inc. for improvement of Balboa Drive and Quince 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 Curran, adopted.

Report of Purchasing Agent, approved by City Manager, on

Hearing  
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Petition  
Planning communications  
138227 - 138230

3/14/57

low bid of Tractor Supply Company for furnishing 3 4-wheel Tractor Loaders @ \$2,585.00 ea plus tax, less trade in allowance of \$1,050.00 for 2 used tractors - \$7,755.00 plus tax; less \$1,050.00 trade-in allowance; 6 bids - was presented.

RESOLUTION 138231, accepting bid of Tractor Supply Company for furnishing Tractor Loaders, and trade-ins; 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 bid of San Diego Division of Los Angeles Chemical Company for furnishing 20,000 Lbs. Sodium Polyphosphate @ \$11.49 per cwt. (for Water Department, Alvarado Filtration Plant) - plus Tax, was presented. (Report says that second low bidder had requested 5% preference, which was granted, in that it was approximately 1% greater than the low bidder, or a total of \$24.00 extra). There were 3 bids.

RESOLUTION 138232, accepting bid of San Diego Division, Los Angeles Chemical Company for furnishing Sodium Polyphosphate; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Purchasing Agent's recommendation, approved by City Manager, for purchasing 38 copies of the 1957 City Directory for City departments (listed) from R. L. Polk & Co. @ \$55.00 each plus tax, was presented. (The Polk Co. is sole source of supply).

RESOLUTION 138233, authorizing and directing Purchasing Agent to purchase 1957 City Directories, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent, recommending advertising for bids for furnishing 1 35-ft. Steel Van Type Trailer, for Civil Defense, was presented.

RESOLUTION 138234, authorizing and directing Purchasing Agent to advertise for sealed proposals for furnishing 1 Trailer, Document 549439, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 138235, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for construction of Primary and Secondary Vault, ~~necessary-or-incidental~~ for construction of Electrical Duct System, Soft Ball and Multipurpose Court Lighting Systems and Modification of existing electrical system at Colina del Sol Park; Document 549430; authorizing and directing Purchasing Agent to publish notice calling for bids, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138236, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and

other expense necessary or incidental for improvement of Research Park (including construction of sewer main, manholes, cutoff walls, water mains, water service, fire hydrant, curbs and paving); Document 549431; authorizing and directing Purchasing Agent to publish notice calling for bids, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 138237, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signals and safety lighting system at intersection of 25th and "C" Streets, and traffic signal interconnect system on 25th and "C" Streets to Broadway; Document 549429; authorizing and directing Purchasing Agent to publish notice calling for bids, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map for resubdivision of Lots 1, 2 and 11 into 5 lots, located on easterly side of Foothill Boulevard, northerly of Loring Street, fronting on termination of Opal and Tourmaline Streets in Pacific Beach - formerly portion of Los Altos Public Housing Project, was presented. It reports that the Commission's recommendation for approval by vote of 4-3 was subject to 9 conditions, and suspension of portion of San Diego Municipal Code.

Tom Corso, realtor in Pacific Beach, asked to be heard. He said that Planning had recommended 5 lots - rather than 6. He said that the adjoining subdivision is being submitted with lots of 70' and 60' lots; from 7500' up. He said that he wanted to make 2 lots with 66' frontage each, with more than 12,000 sq. ft. He said that if not so divided, there would be 1 lot wider than any other in the area. He pointed out property on a map, as he explained. He said that there is no objection to putting on 2 good houses, and better serving the area. He said that the lot can't be sold for \$8,000. to \$12,000. Mr. Corso said that if lot is not divided, it would call for a \$40,000 house, and that he wants to keep the houses at around \$25,000.

Harry Haelsig, Planning Director, spoke of the background on the property and of there having been protests. Planning Director said that recommendation was based on hearings for division of property in the area. He pointed to a map in which he referred to "that" as being comparable to "this". He answered individual questions.

Mr. Corso discussed existing conditions; there is 1 big house on a large parcel of ground, built about 40 years ago, and it is the only one.

Mr. Haelsig said that it "would be comparable to property to the south", and explained regarding a tentative map near the property. He said that the Commission was surprised at there being no protests, based on notices sent. He said that it would be undesirable to have smaller properties. He described sizes from a map.

Mr. Corso said that right across the street Planning has recommended 70'x115', although request was for smaller. He said that he is asking for over 12,000 sq. ft. He said that values have gone up, and that it would be impractical to have size recommended by Planning.

Mr. Haelsig said that it is a very steep lot, and that the frontage is a favor.

Mr. Corso said that there is a 15 foot setback, which increases the frontage where the house is to go. He said that "the back yard would face the street". He told of being interested in the community, as well as making money.

Mr. Haelsig said that this item has not been heard by Planning Commission, and that there should be a hearing.

Councilman Schneider said that notices were mailed, and that "this man is being hurt".

Councilman Kerrigan moved to "continue the previous hearing".

Councilman moved to have a hearing 2 weeks from next Monday.

RESOLUTION 138238, referring to the City Planning Commission the matter of Tentative Map of Nettleship Tye Tract 2, Resub. Lots 1, 2, 11 Block B, to reopen the hearing, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending tentative map (resubmission) for resubdivision of Lots 23 and 24 Block 26 Ocean Beach, located on westerly side of Froude Street, northerly of Santa Monica Avenue, within R-2 Zone - together with suspension of portion of Municipal Code, and upon 6 conditions, was presented.

RESOLUTION 138239, approving 2-lot resubdivision of Lots 23 and 24 Block 26 Ocean Beach; suspending portion of the Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by P. Q. Burton, recommending that street name of Ridge View (two words) be changed to Ridgeview Drive (one word), for uniformity, was presented.

RESOLUTION 138240, requesting City Attorney to prepare and present ordinance to change street name to Ridgeview Drive, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Application of Paul Eldridge and Blanche Carey, 436 University Avenue, for Class "C" Dine and Dance license at the Hurricane Cafe, was presented, together with recommendations of City departments for granting.

RESOLUTION 138241, granting application of Blanche Carey and Paul Eldridge for Class "C" license to conduct public dance at The Hurricane Cafe, 436 University Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

There was returned from Council Conference, by Council Secretary, Document 547808, requesting increased pensions for certain retired employees.

It was filed by the Clerk.

Communication from the City Attorney, signed by Frederick B. Holoboff, Deputy, approved by J. F. DuPaul, dated March 8, 1957, was presented. It is "Re: Sidewalk repair procedures".

RESOLUTION 138242, referring to Council Conference communication from City Attorney, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Marie (Mrs. Fred V. Conniff), 4205 Mason Street, San Diego 10, dated March 10, 1957, was presented. It



offers objections to the City using 4100 block of Mason and Twiggs Streets in Old Town as refuse dump, etc.

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

Communication from San Diego Chamber of Commerce, San Diego 1, dated March 8, 1957, by John F. Borchers, General Manager, requesting same amount in the 1957-58 annual budget as last year for economic research bureau of San Diego.

RESOLUTION 138243, referring to Budget Conference communication from San Diego Chamber of Commerce, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from San Diego Municipal Employees' Association, Inc., 3110 Goddard Way, San Diego 1, dated March 12, 1957, by Mary E. Harvey, executive secretary, was presented.

RESOLUTION 138244, referring to Council Conference communication from San Diego Municipal Employees' Association, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Southern California Exposition and San Diego County Fair (combined), dated March 11, 1957, by Paul T. Mannen, Secretary-Manager, was presented. It invites the City to exhibit during June 28 through July 7, and says that exhibits stressing one department each year have been well received. It says that "possibly the Port of San Diego should be considered".

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

Communication from David Starcepvic, 3316 B Street, San Diego, dated March 11, 1957, relative to experiences and protesting high deposits required by Pacific Telephone Company, and the Gas Company for moving buildings, was presented. It asks that the Municipal Code be amended to require itemized billing and that refund be made promptly.

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

RESOLUTION OF INTENTION 138245, electing to proceed under provisions of Street Vacation Act of 1941, declaring intention of the City Council to vacate portion of Bescano Road and Cromwell Drive in Pueblo Lot 1781 and fixing and time and place for hearing, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Commission, by John Bate, dated 7 March 1957, enclosing for approval form of lease being entered into with San Diego Transportation Co. covering premises on Water Street near Foot of Crosby Street, formerly leased to Star & Crescent Boat Company, for 5 years effective 1 February 1957 with 5-year option, was presented.

RESOLUTION 138246, ratifying, confirming and approving lease, copy filed as Document 549414 between The City of San Diego, acting by and through Harbor Commission of the City, as Lessor, and San Diego

Transportation Co., a California corporation, as Lessee, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Commission, by John Bate, dated 7 March 1957, enclosing for approval of the Council form of Assignment of Lease covering Star & Crescent Boat Company premises on Water Street near Foot of Crosby Street, being assigned to San Diego Transportation Co., a California corporation - a new corporation set up to handle bulk oil transportation formerly operated by Star & Crescent Boat Company; Crowley Launch and Tugboat Co. has also signed the assignment as guarantor of obligations, was presented. It presents a new lease.

RESOLUTION 138247, ratifying, confirming and approving Assignment of Lease between Star & Crescent Boat Company, Assignor, and San Diego Transportation Co., under Document 549411, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138248, finding public interest and convenience in improving Harbison Avenue, Kenton Avenue, Belmont Avenue, Drexel Avenue and Clairmont Avenue, and Norfolk Street, proposed by City of National City under a Resolution of Intention by a single comprehensive scheme of work; approving National City Resolution 6860; consenting to formation of assessment district, etc.; authorizing and directing City Clerk to transmit copy of resolution to City Council of City of National City forthwith, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138249, establishing parking time limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of Central Avenue between El Cajon Boulevard and Orange Avenue; establishing Parking Meter Zones; directing City Manager to cause Parking Meters to be installed and cause Parking Meter Spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138250, establishing parking time limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of El Cajon Boulevard between 36th Street and Cherokee Avenue; establishing Parking Meter Zones; directing City Manager to cause Parking Meters to be installed and cause Parking Meter Spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138251, terminating agreement with Daniel Sebastian, Document 404514, for acceptance and disposal of sewage on portion Lot 47 Partition of Rancho Mission of San Diego - purchased by the State of California from Edmond Denton, successor in interest of Daniel Sebastian - was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138252, terminating Lease Agreement between The City of San Diego of portion of tidelands with United States Shipping Board Emergency Fleet Corporation, an agency of the United States of America, as lessee - which is now defunct and not operating - entered into September 7, 1918, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138253, authorizing and empowering City Manager to agree with San Diego Gas and Electric Company to extend time for negotiation in matter of the Company's request for reconsideration of apportionment between electric energy used for lighting and heating for additional days, or total of 120 days from December 24, 1956, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138254, authorizing and empowering City Manager to execute, for and on behalf of the City, Right of Way Contract - State Highway, with State of California Department of Public Works Division of Highways, agreeing to necessary acts to consummate sale to the State of California of portions of Lots 41 to 45 inclusive in Block 1 Broderick and West Addition, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138255, authorizing and empowering Mayor and City Clerk, for and on behalf of and as act and deed of The City of San Diego, to execute quitclaim deed quitclaiming to State of California, a corporation sovereign, portions of Lots 41 and 45 inclusive in Block 1 Broderick and West Addition; authorizing and directing City Clerk to deliver deed to Property Supervisor, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The Resolution says that the State is desirous of acquiring street property for State highway and freeway, that property to be deeded is valued at \$400.00; and deeding to the State is in accordance with San Diego Municipal Code which authorizes sale without bids.

RESOLUTION 138256, authorizing and empowering City Manager to execute, for and on behalf of the City, right of way contract - State Highway with State of California Department of Public Works Division of Highways, agreeing to necessary acts to consummate sale to the State of California of portions of Lots 1 to 20 inclusive Block 1 Cable Line Addition, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138257, 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 to State of California of right, title and interest in portions of Lots 1 to 20 inclusive Block 1 Cable Line Addition, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138258, authorizing and empowering City Manager to execute, for and on behalf of the City, Right-of-Way Contract - State

Highway, with State of California Department of Public Works Division of Highways, agreeing to necessary acts to consummate sale to the State of Fractional Lot 24 Block 26 E. W. Morse's Subdivision and Lot 23 in Block 126 Choates Addition; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138259, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with The Encanto Little League of about 1.5 acres in Lot 16 Rancho Mission - Imperial Avenue between 55th and Pitts - for 1 year beginning with date of execution of lease, at annual rental of \$1.00 - property value of \$10,000, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138260, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, Amendment to Lease Agreement between The City of San Diego and Lester T. Morgan, amending Lease Agreement re concession at El Capitan reservoir, Lease Agreement was filed as Document 514662, which amendment shall prohibit Lessee from employing any City employee or his relatives in connection with the operation, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138261, approving Marcellena Water District Plat and charges per unit, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138262, approving request of M. J. Baxter, contractor, February 26, 1957, Change Order 1 for extension of 30 days to and including March 31, 1957, Document 549470, in which to complete contract for cast iron water main replacement, Contract Document 540135, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138263, approving request of L. B. Butterfield Inc. March 1, 1957, Change Order 1, for extension of 30 days to and including April 6, 1957, Document 549472, in which to complete contract for Pacific Highway 12" pipe line relocation from Bean to Witherby Streets, Contract Document 544976, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138264, approving Change Order 3, March 1, 1957, Document 549474, for construction of 54th Street, University Avenue and El Cajon Boulevard, contract Document 545490, increasing contract price \$3,662.37, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted. Contract is with Daley Corporation.

RESOLUTION 138265, approving Change Order 3, Document 549476, issued in connection with contract between The City of San Diego and D & M Sprinkler Co. and Jack's Sprinkler Co. for sprinkler system - Torrey Pines Mesa Golf Courses, Document 539766 on the contract; changes amounting to increase of \$10,151.00, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138266, modifying contract with Robert A. Bradt, Document 547630, for extension of 30 days from May 1, 1957, for filing working drawings and specifications on buildings for Torrey Pines Golf Courses, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138267, authorizing and empowering City Engineer to issue to Joseph Bacorn a permit to construct and maintain 2 driveways not exceeding 35 feet wide each, connecting Lot 6 Block 77 Linda Vista Unit 2 with Linda Vista Road - to run with the land and be binding on owner or his successor in interest, after written notice, fails to remove or relocate improvements permitted the City may cause work to be done and cost shall be a lien on the property, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

The reasons, and conditions, are set out in the resolution.

RESOLUTION 138268, granting application to the Hearing Handicapped Children's Assn. for permission to sell flowers and ties for "Dollars for Deaf Children Drive" July 16 through August 10, 1957, during times and at locations specified, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138269, co-sponsoring with San Diego Police Relief Association, Inc., annual ball given by San Diego Police Relief Association, Mission Beach Ballroom, May 31, 1957, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138270, authorizing expenditure of \$400.00 or so much thereof as may be necessary, from funds appropriated by Ordinance 7260 (New Series) for purchase of land in Pueblo Lot 1204, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138271, authorizing expenditure of \$19,700.00 or so much thereof as may be necessary, from funds appropriated by Ordinance 7260 (New Series), for purchase of land in Block 426 Old San Diego, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138272, approving judgment of \$542.49 in case of John Choban vs. Marion E. Brandenberger and Paul Sawchik, ~~Court Case~~ 207656; authorizing City Auditor and Comptroller to draw warrant in favor of John Choban in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138273, authorizing City Attorney to settle suit of Kenneth Olson and Fern Olson against Bernard Jones, Charles C. Duschel, Jr., Robert G. Manchester, Francis J. Odom, and William R. Salle, ~~Court Case~~ 198383 - (\$87,000. against 5 police officers) - was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The resolution provides for \$600.00. settlement, and \$600.00 payment to Kenneth Olson and Fern Olson by the City Auditor.

3/14/57

RESOLUTION 138274, denying claim of M. V. Hutchison Co., 5835 Mission Gorge Road, San Diego 20, California, Document 547852, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 138275, denying claim of Mrs. Lura Martin, 2058 2nd Avenue, San Diego, Document 548642, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 138276, vacating portion of easement for public utilities and sewers over and adjacent to northwesterly line Lot 1 Block 52 Paradise Hills Unit 3; directing that from and after date of order vacation title to land previously subject to easement shall revert to owners of the land free from rights of the public; authorizing and directing City Clerk to cause certified copy of resolution, attested by him under seal, to be recorded in office of County Recorder of County of San Diego, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Resolution says that the subdivision filed April 2, 1958, established the easements, that they have not been used for purpose for which acquired since date of their acquisition to present time, or for 5 consecutive years next preceding date of the resolution.

RESOLUTION 138277, vacating portion of drainage easement in Pueblo Lot 1774; 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 Curran, seconded by Councilman Schneider, adopted.

Resolution says that the Council by Resolution accepted on June 16, 1930, the easement, that since acquisition it has not been used, nor has the easement been used for purpose for which acquired for 5 consecutive years next preceding proposed vacation; easement is unnecessary for present or prospective public use; from and after date of the order of vacation, title previously subject to easement shall revert to owners of the land free from rights of the public.

RESOLUTION 138278, setting aside for public purposes, easement for right of way for public sewer and appurtenances in portions of Lots 2 and 3 Plat Lot 32 Rancho Ex Mission; directing City Clerk to file certified copy of resolution in office of County Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 138279, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, quitclaim deed quitclaiming to NARMCO, INC. all its right, title and interest in portion Lot A Research Park - containing 2.04 acres; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that he deliver it to Grantee and collect the consideration; conveyance upon condition that in event Narmco, Inc. has not completed improvements required under deed conveyed by the Grantee authorized by Resolution 131443 by time established in Resolution 137087, then Narmco, Inc. shall reconvey the property and the City shall return the purchase money, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Resolution says that under Resolution 131443, The City



of San Diego exchanged some real property with NARMCO, INC. and in addition conveyed option to purchase additional 2 acres of portion Lot A of Research Park at \$4,000 per acre, and that conveyance of property by the City contained a condition that improvements on the property were to be completed by the period specified and later extended. It says that the corporation has exercised its option to purchase the 2 acre plot; the City should execute a deed in exchange for consideration of \$8,160, upon conditions of Resolution 137087.

RESOLUTION 138280, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego quitclaim deed quitclaiming to State of California, a corporation sovereign, Fractional Lot 24 Block 126 E. W. Morse's Subdivision of Pueblo Lot 1150, also Lot 23 Block 126 Choate's Addition (being a Subdivision of part of Pueblo Lot 1151); authorizing and directing City Clerk to deliver deed to Property Supervisor, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Resolution says that value of property is \$1,414.50, that San Diego Municipal Code authorizes sale of City property to the State of California and any political subdivision thereof for public purposes without advertising for bids, and City Manager has recommended the sale.

RESOLUTION 138281, accepting deed of Jack Dameris, February 27, 1957, conveying easement for alley purposes in Lot 46 Block 6 American Park Addition; dedicating land for 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 Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138282, accepting deed of Jack Dameris, February 27, 1957, conveying easement for alley purposes in Lot 46 Block 7 American Park Addition; dedicating land for 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 Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138283, accepting deed of N. Sedlack, also known as John Sedlack, February 27, 1957, conveying easement and right of way for street purposes in Lot 46 Block 7 American Park Addition; naming land Moultrie Avenue; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for recorded in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138284, accepting deed of Walter M. McKellar, March 8, 1957, conveying easement and right of way for street purposes in northerly 3.00 feet Lot 13 Block 6 Golden Park Addition; 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 Evenson, adopted.

RESOLUTION 138285, accepting deed of Clark N. Bequeaith and

Goldie P. Bequeaith, March 6, 1957, conveying easement and right of way for street purposes in portion Lot 175 Empire Addition to Encanto Heights; naming land Tooley 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 Schneider, adopted.

RESOLUTION 138286, accepting deed of N. Sedlack, also known as John Sedlack, February 27, 1957, conveying easement and right of way for street purposes in portion Lot 46 Block 6 American Park Addition; naming land Trenton 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 Schneider, adopted.

RESOLUTION 138287, accepting deed of Clare E. Allanson and Alice B. Allanson, March 8, 1957, conveying easement and right of way for drainage purposes in northerly 4.00 feet Lot 44, southerly 4.00 feet Lot 45 Block 40 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 138288, accepting deed of Isabel Bedford, March 6, 1957, conveying easement and right of way for drainage purposes in portions Lots 37 and 38 Block 128 Choate'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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 138289, accepting deed of Harry L. Foster and Myra Foster, March 7, 1957, conveying easement and right of way for drainage purposes in portion Lot 50 Grove 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 Schneider, adopted.

RESOLUTION 138290, accepting deed of N. Sedlack, also known as John Sedlack, and Jack Daremes, February 27, 1957, conveying easement and right of way for sewer, water and drainage purposes in southerly 4.00 feet Lot 45 Block 6 American 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 Schneider, adopted.

RESOLUTION 138291, accepting deed of N. Sedlack, also known as John Sedlack, and Jack Daremes, February 27, 1957, conveying easement and right of way for sewer, water, drainage purposes, in southerly 4.00 feet Lot 45 Block 7 American Park Addition; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

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

ORDINANCE 7375 (New Series), incorporating portion of Pueblo Lot 1240 into RC-1A Zone as defined by Section 101.0409.2 of San Diego Municipal Code, and repealing Ordinance 13457 insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Burgener.

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

ORDINANCE 7376 (New Series), amending Article 1 Chapter IX of San Diego Municipal Code by Adding Section 91.02.2, Regulating Building and Structures (Building Code Changed), was on motion of Councilman Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Burgener.

+Schneider, seconded by Councilman Evenson, adopted, by following vote: Yeas-

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

ORDINANCE 7377 (New Series), setting aside and dedicating portions of Lot 17 Rancho Mission of San Diego, as and for public streets, naming Parcel 1 Euclid Avenue, Parcel 2 Westover Place, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted, ~~by following vote: Yeas-Councilman Evenson, seconded by Councilman Schneider, adopted,~~ by following vote: Yeas-Councilman Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Burgener.

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

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

ORDINANCE 7378 (New Series), appropriating \$44,300.00 out of Capital Outlay Fund for construction of Storm Drain in portions of Revillo Drive, Rolando Boulevard and University Avenue, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Burgener.

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

On motion of Councilman Williams, seconded by Councilman Kerrigan, reading prior to final passage was dispensed with by vote of not

less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage written or printed copy.

ORDINANCE 7379 (New Series), appropriating \$16,800.00 out of Capital Outlay Fund for installing curbs on portion of Balboa Drive and Quince Street, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Burgener.

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

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

ORDINANCE 7380 (New Series), appropriating \$6,300.00 out of Capital Outlay Fund for grading and paving portion of Santa Fe Street, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Burgener.

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

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

ORDINANCE 7381 (New Series), appropriating \$1,000.00 out of Unappropriated Balance Fund for purchase of equipment to be used at Track Meets in Balboa Stadium, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Burgener.

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

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

ORDINANCE 7382 (New Series), appropriating \$550.00 out of Unappropriated Balance Fund to pay for School Bus Transportation from Ridgeview District to Webster School during period from March 1st through and including March 29, 1957, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Burgener.

On motion of Councilman Evenson, seconded by Councilman Schneider, Ordinance authorizing leasing portion of Pueblo Lot 1360, was introduced, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Burgener.

Mayor Dail mentioned the notice(s) which had been served by the City Clerk, in connection with Council Meetings to be held in the Board of Supervisors' meeting room, during remodeling of the Council Chambers. He read his copy.

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

RESOLUTION 138292, changing and establishing official grades of Lowell Street, Wabaska Drive and Tennyson Street, and designating time and place of hearing any objections to the grade, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

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

The Mayor told of meetings being held now, and of recommendations regarding 3 sites for airport for San Diego. He said that news releases are to come from Washington, according to Mr. Rothschild. He told of those in attendance at the local meeting, and the Washington meetings. He said that the Air Coordinating Board has asked for San Diego representation.

RESOLUTION 138293, authorizing O. W. Campbell, City Manager, and Aaron W. Reese, Assistant City Attorney, to go to Washington, D. C. and other cities as may be necessary, in connection with the Air Coordinating Committee hearings on San Diego Airport and other City business, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Councilman Kerrigan told of meetings he expected to attend - item not listed on the agenda:

RESOLUTION 138294, authorizing Councilman George Kerrigan to attend a meeting of the Feather River Association, to be held in Sacramento, California, March 15 and 16, 1957, and incur all necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.


The City Attorney presented the next item, not listed on the agenda:

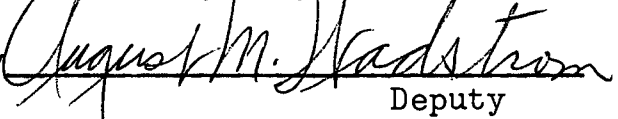
RESOLUTION 138295, authorizing J. F. DuPaul, City Attorney, to attend a meeting of the Legal Committee of the League of California Cities, to be held in Berkeley, California, March 22, 1957, pertaining to franchises, and to incur all necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

There was returned from Council Conference, by Council Secretary, communication from the City Attorney, entitled "Re: Mission Bay - Restrictions on Use of Lands". It was filed by the Clerk.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:08 o'clock A.M.

ATTEST:  
FRED W. SICK, City Clerk

  
Mayor of The City of San Diego, California

By   
Deputy

138292 - 138295  
Conf. item ret. & filed  
Meeting adjourned

3/18/57

## REGULAR MEETING

Meeting held in the Board of Supervisors' Chambers (while Council Chambers are being remodeled)- Tuesday, March 18, 1957

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

Vice Mayor D. D. Williams, Jr., called the meeting to order at 10:08 o'clock A.M.

The Vice Mayor introduced Father Vincent Walters, Assistant at Blessed Sacrament Church, who gave the invocation.

Ordinances and Resolutions are recorded on Microfilm Roll 127.

The Purchasing Agent reported in writing on bids opened March 15, 1957, for:

- (a) Everts Street;
- (b) Payne Street, and Rights of Way - Sewer;
- (c) Orten Street.

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

On motion of Councilman Schneider, seconded by Councilman Curran, minutes of the Regular Meetings of Tuesday, March 12, 1957, and of Thursday, March 14, 1957, were approved without reading - after which they were signed by the Vice Mayor.

The Vice Mayor welcomed students from Wilson Junior High School - ASB Cabinet and Social Studies - accompanied by Edgar Hebert, teacher. At the Vice Mayor's request they stood, for recognition.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on removing existing street light standards, etc., and constructing street light standards, complete, incl. connection service, in 7th Avenue, 8th Avenue, 9th Avenue, 10th Avenue, 11th Avenue, and in 12th Avenue, and in B and C Streets, Resolution of Intention 137628, Willard Olson, from the City Engineer's office, reported a 50.8% protest.

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

James Hervey Johnson tried to speak. He was informed that hearing had been closed, and the Vice Mayor said that the Council was planning to take the action he sought.

RESOLUTION 138296, overruling and denying protests of Philip P. Martin and Nicholas J. Martin, Borgerding Investment Co., Young

Meeting convened  
Invocation  
Minutes approved - & signed  
Visiting students welcomed  
Hearing



Women's Christian Association, Property Owners, Ratner Manufacturing Company, Edith Grus, Myrtle K. F. Otto, Ernest F. Otto and Marie L. Otto, M. Hall Company, Fintzelberg & Steinmetz, Zalmer R. Gilmore and Elsie May Gilmore, against proposed installation of street lights, complete on 7th Avenue, 8th Avenue, 9th Avenue, 10th Avenue, 11th Avenue, 12th Avenue, et al., Resolution of Intention 137628; abandoning proceedings taken heretofore, 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 Resolution 137843 of Preliminary Determination, for paving and otherwise improving Alley Block 15 Center Addition to La Jolla Park, the City Clerk reported no protests.

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

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

RESOLUTION 138297, determining that improvement of Alley Block 15 Center Addition to La Jolla Park is feasible and that lands to be assessed 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 1911 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 137844 of Preliminary Determination for construction of street lighting system in Girard Avenue, the Clerk reported no protests.

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

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

RESOLUTION 138298, determining that improvement of Girard Avenue is feasible and that lands to be assessed to carry burden of proposed assessment; also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 137845 of Preliminary Determination for installation of sewers and appurtenances in Pardee Street, and in K Street, the Clerk reported no protests.

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

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

RESOLUTION 138299, determining that improvement of Pardee Street, "K" Street, Alley Block 4 G. H. Crippen's Addition, and Public Rights of Way is feasible and that lands to be assessed 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 next item was presented under unanimous request granted to the Acting City Manager, at the end of the meeting, but was numbered here by request.

RESOLUTION 138300, congratulating Ben F. Dixon on his

Hearings

138297 - 138299

138300 under U.C. numbered  
out of order

3/18/57

scholarly accomplishments in connection with his contribution to the writing of the history of the City of San Diego; mentioning his many accomplishments, including being archivist and curator at Serra Museum for the San Diego Historical Society, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Ralph A. Bell for improvement of Southcrest Park at 40th and "A" Streets (including grading, excavating and placing of material in embankment) - \$6,571.80; 5 bids - was presented.

RESOLUTION 138301, accepting bid of Ralph A. Bell for improvement of Southcrest 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 Curran, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Ets-Hokin & Galvan for installation of Traffic Signal and Safety Lighting Systems at intersections of First and Robinson Avenues, First Avenue and Laurel Street; Traffic Signal Interconnect Systems on First Avenue Between Robinson Avenue and University Avenue, and on Laurel Street between First and Fourth Avenues - \$14,338.75; 3 bids - was presented.

RESOLUTION 138302, accepting bid of Ets-Hokin & Galvan re traffic signals, safety lighting systems, and interconnect systems; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract with Ets-Hokin & Galvan, 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, approved by City Manager, on low bid of Ets-Hokin & Galvan for installation of Traffic Signal and Safety Lighting Systems at intersections of Imperial Avenue and 28th Street, and at National Avenue and Sigsbee Street - \$17,209.50; 4 bids - was presented.

RESOLUTION 138303, accepting bid of Ets-Hokin & Galvan for installation of traffic signal and safety lighting systems at Imperial Avenue and 28th Street, and at National Avenue and Sigsbee 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 Burgener, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Fischbach and Moore, Inc., for installation of Traffic Signal and Safety Lighting Systems, Traffic Islands and Channelizing, and Drainage appurtenances at intersection of Harbor Drive and Ash Street - \$26,433.95; 4 bids - was presented.

RESOLUTION 138304, accepting bid of Fischbach and Moore, Inc., for work at intersection of Harbor Drive and Ash Street; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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Report of Purchasing Agent, approved by City Manager, on low bid of Al E. Riley, Inc. for Improvement of 4th Avenue between Elm and Date Streets (including grading, preparation of subgrade, paving, construction of sidewalk, inlet drain and curb) - \$1,973.10; 3 bids - was presented.

RESOLUTION 138305, accepting bid of Al E. Riley for improvement of Fourth Avenue; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of 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 Standard Electric for installation of Soft Ball Light System and Modification to Existing System at Golden Hill Community Center, Alternate A - \$7,750.00; 5 bids - was presented.

RESOLUTION 138306, accepting bid of Standard Electric for installation of soft ball lighting system and modification of existing system, Golden Hill Community Center, Alternate A; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on bids of Squires-Belt Material Co., low bidder meeting specification, for furnishing Item 1 for cold water meters, Fire Service Type; and low bidder, Western Metal Supply Co., meeting specification for furnishing Items 2 and 3 for cold water meters, Fire Service Type; was presented. There were 2 bids.

RESOLUTION 138307, accepting bid of Squires-Belt Material Co. for furnishing Item 1 4" Hersey Model FM meters with disc bypasses; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City Manager a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138308; accepting bid of Western Metal Supply Co. for furnishing Items 2 and 3 Trident Protectus meters; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Sapphire Terrace, subject to posting bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 138309, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Diamond Construction Company, a general partnership, for installation and completion of unfinished improvements and setting of monuments required for Sapphire Terrace 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 Curran, adopted.

RESOLUTION 138310, adopting Map of Sapphire Terrace Subdivision, being a subdivision of Lots 11 to 30 inclusive Block 9 Hollywood Park; Lots 7 to 11 inclusive and Lots 30 to 40 inclusive Block 9, Lots 1 to 11 inclusive, Lots 30 to 40 inclusive Block 10, both in Reed's Ocean Front Addition, and portion of Lot 1784 of Pueblo Lands; accepting on behalf of the public Sapphire Street, and alleys and easements shown for sewer, water,

drainage and public utilities, for public purposes; dedicating them to the public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that the Council has approved the map, and that street, portions of streets, alleys and easements are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Muirlands Acres Unit 4, subject to posting bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 138311, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Herbert Tiffany and Kathleen E. Tiffany, Fred C. Corey and Ruth C. Corey, Fred C. Corey, Jr. and Wanda Lee Corey, for installation and completion of unfinished improvements and setting of monuments required for Muirlands Acres Unit 4 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138312, adopting Map of Muirlands Acres Unit 4, being subdivision of portion of Pueblo Lot 1774; accepting on behalf of the public, portion of public street: La Jolla Mesa Drive, and easements for sewer, water, drainage and public utilities, 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 the Council has approved the subdivision map and that portion of street and easements are accepted on behalf of the public; directing City Clerk to transmit the map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Cabrillo Heights Business Center Unit 2, subject to posting of bond in amount sufficient to insure installation of improvements, and that cash deposit be required to cover street closing cost of closing portion of Hurlbut Street, was presented.

RESOLUTION 138313, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Ed Fletcher Company, a corporation, for installation and completion of unfinished improvements and setting monuments required for Cabrillo Heights Business Center 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 Evenson, adopted.

RESOLUTION 138314, adopting Map of Cabrillo Heights Business Center Unit 2, a subdivision of portions of Lots 37 and 40 Rancho Mission of San Diego; accepting on behalf of the public, portions of Sandrock Road, Greyling Drive and Hurlbut Street, alley, and easements for sewer, water, drainage and public utilities shown for public purposes; dedicating them to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that Council has approved the subdivision map and that portions of streets, and easements are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

At this point, the Vice Mayor explained to the visiting students the procedure, including voting by the Council.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Record of Survey for resubdivision of Lot 26 Del Norte Addition to Encanto Heights, in lieu of a final subdivision map, was presented.

RESOLUTION 138315, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Record of Survey for resubdivision of Lot 175 Empire Addition to Encanto Heights, in lieu of a final subdivision map, was presented.

RESOLUTION 138316, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map for resubdivision of Lots 2 and 3 Block 13 Encanto, subject to 5 conditions, and suspending portion of San Diego Municipal Code, was presented.

RESOLUTION 138317, approving tentative map of Encanto Heights, 7-lot resubdivision in Block 13; suspending portion of Municipal Code, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map for resubdivision of portion Lot 9 Block 13 Encanto Heights, zoned R-2, subject to 7 conditions, and suspending portion of San Diego Municipal Code, was presented.

RESOLUTION 138318, approving tentative map for resubdivision of portion Block 13 Encanto Heights; suspending portion of Municipal Code, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map, for 1-lot subdivision of portion Pueblo Lot 193, as Hartley Terrace, subject to 9 conditions, and suspension of portion of San Diego Municipal Code, was presented.

RESOLUTION 138319, approving tentative map of Hartley Terrace; suspending portion of the Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of revised tentative map of Point Loma Medical Center, being portion of P.L. 221 - area proposed to be subdivided is within former Frontier Housing Development, and is improved - subject to 11 conditions, and suspension of portion of San Diego Municipal Code, was presented.

RESOLUTION 138320, approving tentative map of Point Loma Medical Tract; suspending portion of Municipal Code, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser,

3/18/57

recommending approval of Record of Survey for resub Lots 16 & portion 17 San Rafael Unit 2, was presented.

RESOLUTION 138321, approving filing of Record of Survey Map in lieu of final subdivision map under Section 102.02.1 of San Diego Municipal Code, in San Rafael Unit 2, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map for Scanlan Subdivision subdivision of Lot 1 Western Highlands, in R-1 zone, subject to 8 conditions, and suspension of portion of San Diego Municipal Code, was presented.

RESOLUTION 138322, approving tentative map of Scanlan Subdivision; suspending portion of Municipal Code, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending annexation to the City of Rosedale-Rancho Mission Tract, was presented. It refers to changed boundaries to eliminate within the area proposed to be annexed Murphy Canyon, Camp Elliott and a small portion of Mission Valley, which includes "a goodly portion of Mission Valley, the old San Diego Mission Lands, all of area remaining of Grantville, and a majority of the Mission Gorge area southerly of Camp Elliott boundary", and recommends revision of the boundaries.

RESOLUTION 138323, approving request of J. A. Arey to commence proceedings for annexation of unincorporated lands in Mission Valley to The City of San Diego, Document 549555, giving consent to proceed with the proposed annexation, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, submitting a detailed report in connection with annexation of an area lying contiguous to and easterly of easterly incorporated limits of the City of Imperial Beach, extending easterly to (but not including) the Navy Air Facility at Brown Field from the International Border northward to the approximate edge of the plateau lying southerly of the Otay River, was presented. It states that the area embraces approximately 13,760 acres, or 21.5 square miles; and in the event of a successful annexation of the above land, the present area of the city would be increased by approximately 16.5%. It says that included within the proposed annexation would be the communities of Palm City, Nestor and San Ysidro, as well as the farm lands and dairies along the Tijuana River Valley and the mesa extending easterly to Brown Field. The report covers population, general land use, streets and sidewalks, flood control, subdivisions, major streets, housing, zoning.

RESOLUTION 138324, approving request of Louise M. Andrews, George M. Wallace, Mrs. Dixie W. Parish, Frank DeLisi, Jessie E. Poor, Chas. W. Kreutzkamp, Verla Baumgart, Cesar Soto, Harold J. Osborne, M. Yamagata, Cornelius R. Spooner, M. O. Whitt, Ken W. Baird, Gale R. Traver, Harold C. Grey, Robert Egger, Roscoe A. Sage, Marie Hale, George G. Downs, Julius Hofer, Meinrod Zumstein, James R. Jackson and Michael D. Bajo to commence proceedings for annexation of unincorporated lands in the South Bay area to the City of San Diego, Document 549192, and giving consent to proceed with the proposed annexation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Copy of communication from Julian Pohl, 2310 Fifth Avenue, San Diego 1, dated March 12, 1957, addressed to Representative Bob Wilson,





expressing views relative "to our vexing 'Airport Problem'", was presented. Asked about the contents of the letter, the Clerk reviewed it briefly.

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

Communication from A. S. Chrisman, Captain, Medical Corps, U.S. Navy, Commanding Officer, dated 13 March 1957 - his NH16-c-mac A 25 - was presented. The communication requests a traffic light at the Naval Hospital entrance (in Balboa Park), or reduction in the speed limit on Park Boulevard adjacent to the hospital to 20 miles per hour.

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

RESOLUTION 138325, directing notice of filing Assessment 2577 and of time and place of hearing thereof, made to cover costs and expenses of work done upon paving and otherwise improving Poe Street, Resolution of Intention 131056, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING IMPROVEMENT 138326, for furnishing electric energy in Talmadge Park Lighting District 4, for 1 year from and including April 1, 1957, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138327, for vacation of portion of Gregory Street, Document 546971; directing City Clerk to cause certified copy of resolution attested by him under seal, to be recorded in office of County Recorder, 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

RESOLUTION OF INTENTION 138328, for grading and sidewalking 55th Street, Hardy Avenue, Lindo Paseo, Campanile Drive, and establishing official grade thereof, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138329, directing notice of filing Assessment 2579 and of time and place of hearing, made to cover costs and expenses of work done upon paving and otherwise improving Goshen Street, Lauretta Street, Fresno Street, Hueneme Street, et al., Resolution of Intention 132386, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138330, directing notice of filing Assessment 2578 and of time and place of hearing, made to cover costs and expenses of work done upon paving and otherwise improving Hartford Street, Resolution of Intention 132503, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication

138325 - 138330

RESOLUTION OF INTENTION 138331, for furnishing electric energy in Rolando Lighting District 2, and maintenance of lamps and mast arms, etc., for 1 year from and including April 1, 1957, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 138332, electing to proceed under provisions of Street Vacation Act of 1941, declaring intention of the City Council to vacate portion of Clairemont Drive, Fairfield Street and Gesner Street, and fixing time and place for hearing, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 138333, electing to proceed under provisions of Street Vacation Act of 1941, declaring intention of the City Council to vacate portion of Illion Street and fixing time and place for hearing, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 138334, electing to proceed under provisions of Street Vacation Act of 1941, declaring Intention of the City Council to vacate portion of Valeta Street and fixing time and place for hearing, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 138335, electing to proceed under provisions of Street Vacation Act of 1941, declaring Intention of the City Council to vacate portion of 32nd Street and fixing time and place for hearing, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138336, ascertaining and declaring wage scale for paving and otherwise improving Kurtz Street, and acquisition of Public Rights of Way, establishing official grade thereof, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138337, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 81 Pacific Beach, Resolution of Intention 135214, and to be assessed to pay expenses thereof; directing Clerk of the City at same time of the approval, to certify fact and date thereof, and to immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138338, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 64 University Heights, and Meade Avenue, Resolution of Intention 134050, and to be assessed to pay expenses thereof; directing Clerk of the City at same time of the approval, to certify fact and date thereof, and to immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

3/18/57

RESOLUTION 138339, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Franklin Avenue, Resolution of Intention 134262, and to be assessed to pay expenses thereof; directing Clerk of the City at same time of the approval, to certify fact and date thereof, and to immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138340, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving easterly and westerly Alley Block 31 Normal Heights, Resolution of Intention 135859, and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138341, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 215 Pacific Beach, and Lamont Street, Resolution of Intention 135960 and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138342, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installing sidewalks and curbs in Baker Street, Zoe Street, Sumter Street, Ticonderoga Street and Chicago Street, Resolution of Intention 135961, and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138343, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installing sidewalks in Redwood Street, East Virgo Road, Sue Street, et al., Resolution of Intention 136421, and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138344, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on construction and installation of ornamental lighting system in India Street, Columbia Street, State Street, Union Street, Front Street, et al., Resolution of Intention 136422, and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138345, granting petition, Document 547738, for paving and otherwise improving Alleys in Blocks 1 and 12 Alhambra Park; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, and establishing or changing official grades thereof, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138346, granting petition, Document 548819, for paving and otherwise improving Alley Block 98 City Heights; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; and establishing or changing official grade thereof, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138347, granting petition, Document 548245, for paving and otherwise improving Alley Block 9 Ocean Beach and Block 93 Point Loma Heights; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; and establishing or changing official grade thereof, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138348, granting petition, Document 547270, for paving and otherwise improving Alley Block B Riviera Villás; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; and establishing or changing official grade thereof, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138349, granting petition for paving and otherwise improving Winnett Street, and Tooley Street, Document 547206; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be included (this includes Oriole Street), to pay costs, damages and expenses; and establishing or changing official grades thereof, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138350, granting petition, Document 548821, for paving and otherwise improving Crown Point Drive; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; and establishing or changing official grades thereof, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138351, granting petition, Document 548820, for paving and otherwise improving La Jolla Scenic Drive; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; and establishing or changing official grades thereof, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138352, granting petition, Document 547920, for installation of sanitary sewers in portion of Marilou Park; directing City

3/18/57

Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses thereof - in portion of Marilou Park and portions of 39th Street, C Street, and Blocks 6, 7, 10, 11 Marilou Park to be included, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Harbor Department, by John Bate, enclosing for City Council approval form of agreement for amendment of Convair master lease dated 1 April 1944, was presented. It states that amendment merely deletes necessary area required by State Division of Highways in order to construct overpass at intersection of Washington Freeway and Pacific Highway; the Commission is by resolution dedicating the deleted area to public use; amendment conforms in all respects to established Harbor Commission policy.

RESOLUTION 138353, ratifying, confirming and approving Agreement for Modification of Tideland Lease, copy on file in Office of City Clerk as Document 549568, entered into between City of San Diego acting by and through Harbor Commission of the City, and General Dynamics Corporation, Convair Division, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Department, by John Bate, enclosing for City Council approval form of Assignment of Lease covering 3,882 square feet of space in San Diego Sea Food Mart Building, assignment of interest is from Bregante Fish Company, a co-partnership, to Chesapeake Fish Company, a co-partnership, consisting of Nicholas A. Vitalich and John Vitalich, Jr; assignment conforms in all respects to established Harbor Commission policy.

RESOLUTION 138354, ratifying, confirming and approving Assignment of Lease, copy on file in Office of City Clerk as Document 549574, entered into between Bregante's Fish Company, and Chesapeake Fish Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Commission, by John Bate, enclosing for City Council approval form of Assignment of lease, from the partnership known as Sun Harbor Marina, a limited partnership, to Sun Harbor Marina, Inc., a Nevada corporation - no change in actual ownership - effective 1 March 1957, located on Harbor Drive and extending into the commercial basin, was presented.

RESOLUTION 138355, ratifying, confirming and approving assignment, copy on file in office of City Clerk as Document 549571, entered into between Sun Harbor Marina, and Sun Harbor Marina, Inc., was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138356, establishing parking time limit of 2 hours; between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of 45th Street between El Cajon Boulevard and Orange Avenue; establishing Parking Meter Zones; directing City Manager to cause Parking Meters to be installed and cause Parking Meter Spaces to be designated; authorizing installation of necessary signs and markings to be made, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.



Councilman Curran asked the locations of the lights provided in the following location. John Ingram, of Administrative Management, identified the locations.

RESOLUTION 138357, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 11 locations, and 8 mercury vapor 20,000 lumen ornamental street lights, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138358, authorizing City Manager to accept work on behalf of The City of San Diego in Presbyterian Palisades Subdivision and execute Notice of Completion and have it recorded, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138359, authorizing and empowering City Manager, for and on behalf of the City, to execute Pipe Line License with The Atchison, Topeka and Santa Fe Railway Company, licensor, wherein said licensor grants to the City a license to construct and maintain a 45" sewage line (according to attached map, easterly of Pacific and points between Sutherland and Emory Streets) - Drawing L-4-22074 of the A.T.&S.F.Ry.Co. - was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 138360, authorizing City Manager to execute on behalf of the City, an Agreement between the City and A. W. Livett & Associates, Inc. (agreement shows employment as engineers in connection with construction of La Jolla Shores storm drain), was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

There was listed on the agenda at the request of the City Manager an agreement with the United States of America, Department of Interior, Office of Saline Water, Washington, D.C., leasing a tract of land in Mission Bay recreation area (for experimental saline water conversion plant).

By common consent the item was continued, temporarily, until later in this meeting.

RESOLUTION 138361, granting Alan C. Reed a variance from provisions of the building code requiring use of fire window glass and is permitted to use clear glass windows on structure located at 2718 Market Street, adjacent to side yard property line, and finding that such variance will not constitute a hazard to the public safety, health and welfare, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138362, 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 48 Block 24 City Heights, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

3/18/57

RESOLUTION 138363, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lots 3 and 4 Block 5 Florence Heights Addition, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138364, 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 48 Block 24 City Heights, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138365, authorizing City Attorney to accept \$465.45 on behalf of The City of San Diego in full settlement of claim of the City against Automatic Irrigation Company, for damage to 2 underground ducts, damaging 5 primary cables in Balboa Park, south of Plaza de Panama, as invoiced October 4, 1956, Invoice 43271 in amount of \$930.90; authorizing and directing City Auditor and Comptroller to execute release to Automatic Irrigation Company, 925 West Hyde Park, Inglewood, California, upon payment of \$465.45, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138366, approving claim of N. T. Marshall & Co., c/o Holliday & Folsom, Document 548169, in amount of \$40.00; authorizing City Auditor & Comptroller to draw warrant in favor of N. T. Marshall & Co., c/o Holliday & Folsom, 1212 Medico-Dental Building, San Diego 1, in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138367, denying claim of Allstate Insurance Co., for William Detlefs, Document 549033, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138368, denying claim of Sydney B. Brown, 4003 Mission Boulevard, San Diego, Document 547853; rescinding Resolution 138123, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 138369, authorizing and directing City Auditor to transfer funds in amount up to but not exceeding \$30,000.00 from Salary Account of Harbor Operating and Maintenance Fund, to Salary Account of The Harbor Development Trust Fund, for paying salaries of Harbor Department forces doing development work for fiscal year 1956-1957, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

3/18/57

RESOLUTION 138370, authorizing City Librarian to attend the Planning Public Library Buildings Conference, Sacramento, California, March 18 through 21, 1957, and incur all necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138371, authorizing Fred W. Lawrence, City Auditor and Comptroller, to attend Annual Conference of Municipal Finance Officers Association of the United States and Canada in St. Paul, Minnesota, June 2 through 6, 1957, incurring all necessary expenses authorized, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138372, authorizing and empowering Mayor and City Clerk to execute for and on behalf of The City of San Diego, quitclaim deed quitclaiming to Charles J. Rimbach and Jessie C. Rimbach, and John E. Adkins and Mamie M. Adkins, all its right, title and interest in and to portion of Cassidy Tract, described in attached form; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions to effect exchange, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that The City is desirous of acquiring a 2-acre piece of land in Pueblo Lot 1335 (Cassidy Tract) for water pump station; that owners are willing to deed the land to the City in exchange for quitclaim deed from the City to portion of the Cassidy Tract; appraisal by qualified real estate appraiser is equivalent to value of property to be quitclaimed by the City, or sum of \$200.00; City Manager has recommended the exchange.

RESOLUTION 138373, accepting quitclaim deed of Wilzel Estates, Inc., a corporation (Care Chamco Const. Co., 2195 Moore Street, San Diego, on 11th day of March, 1957, quitclaiming to The City of San Diego, water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named La Jolla Corona Estates; authorizing and directing City Clerk to file deed together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

On motion of Councilman Curran, 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 7383 (New Series), appropriating \$105,000.00 out of Unappropriated Surplus of Harbor Department Development Fund 511, and transferring same to Harbor Department Development Fund 511, Outside Contracts (Outlay), was on motion of Councilman Curran, 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 Curran, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Curran, 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 7384 (New Series), appropriating \$36,000.00 out of Unappropriated Balance Fund for decentralization and reorganization of the Building Inspection Department, was on motion of Councilman Curran, 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 Kerrigan, seconded by Councilman Schneider, the next ordinance was introduced.

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

ORDINANCE 7385 (New Series) appropriating \$29,100.00 out of Capital Outlay Fund for installing Traffic Signals and Lights and channelization of intersection at Harbor Drive and Ash Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

On motion of Councilman Curran, 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 7386 (New Series) appropriating \$20,000.00 out of Unappropriated Surplus of Harbor Department Operating and Maintenance Fund 510, and transferring same to Harbor Department Operating and Maintenance Fund 510, Maintenance and Support, was on motion of Councilman Curran, 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 Curran, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Curran, 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 7387 (New Series) appropriating \$19,000.00 out of Capital Outlay Fund for installing traffic signals and safety lighting at intersections of Imperial Avenue and 28th Street, and National Avenue and Sigsbee Street, was on motion of Councilman Curran, 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 Kerrigan, seconded by Councilman Curran, the next ordinance was introduced.

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

ORDINANCE 7388 (New Series), appropriating \$15,800.00 out of Capital Outlay Fund for installing Traffic Signals and Lights on First Avenue at its intersections with Robinson Avenue and Laurel Street, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

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

ORDINANCE 7389 (New Series), appropriating \$8,525.00 out of Capital Outlay Fund for installing soft-ball lighting system at Golden Hill Community Center, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

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

ORDINANCE 7390 (New Series), appropriating \$7,200.00 out of Capital Outlay Fund for grading Southcrest Park at 40th and "Z" Streets, was on motion of Councilman Curran, 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 Curran, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Curran, 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 7391 (New Series), appropriating \$2,200.00 out of Capital Outlay Fund for installing sidewalks and storm drain facilities in portion of 4th Avenue (between Elm and Date Streets), was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

3/18/57

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 written or printed copy.

ORDINANCE 7392 (New Series) appropriating \$1,400.00 out of Unappropriated Balance Fund for services of Rees Stealy Medical Clinic for Medical Services for the Fire Department, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

Ordinance allowing the San Diego & Arizona Eastern Railway Company to construct, maintain and operate a spur track along and across Commercial Street adjacent to Blocks 104 and 107 Central Park Addition, between 30th and 32nd Streets, and repealing Ordinance 7268 (New Series) adopted December 27, 1956, was on motion of Councilman Curran, seconded by Councilman Kerrigan, introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

Ordinance amending Chapter X of the San Diego Municipal Code by amending Section 101.0204 thereof, and by adding a new section to be known as and numbered Section 101.0204.1 relating to fees for Zoning, was listed on the agenda for this meeting.

Councilman Burgener said that he had a question, and held a discussion with P. Q. Burton, of the City Planning staff.

Councilmen Schneider and Kerrigan said that this should be continued 1 week.

RESOLUTION 138374, continuing 1 week the proposed ordinance amending the Municipal Code relative to fees for zoning; referring the subject to Conference, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The proposed resolution authorizing City Manager to execute agreement with United States of America, Department of the Interior, Office of Saline Water, for leasing tract of land in Mission Bay recreational area lying southerly of the levee of the San Diego Floodway and easterly of West Point Loma Boulevard, for the purpose of establishing thereon an experimental saline water conversion plant, which had been held temporarily, was brought up at this time.

Acting City Manager E. W. Bloom, explained that there would be no problem regarding appearance, in that it would be screened and landscaped. It said that it would not be a large tank, and would be removed by the Government at the end of the lease, which provides for 9 1-year options.

RESOLUTION 138375, authorizing and empowering City Manager to execute, for and on behalf of the City, lease agreement with United States of America, Department of Interior, Office of Saline Water, Washington 25, D.C., leasing a tract of land in the Mission Bay recreational area, for purpose of establishing thereon an experimental saline water conversion plant, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

7392 N.S. -

Ord. intr.

Ord. to Conf.

131375 - & discussion



Councilman Kerrigan presented the next item, not listed on the agenda:

He said that the Boy Scout lease is in conference, and that he had a call from Harvey Atherton, who wanted to explain the subject to the Council.

Councilman Schneider spoke to Mr. Blom about the Girl Scout lease, and asked if it is not for 50 years.

Councilman Kerrigan said that Mr. Atherton had to do with the drawing of the leases, and that the Girl Scout, Boy Scout, and YMCA leases "are the same".

Councilman Schneider thought it would be well to have Mr. Atherton to come down to the Thursday conference.

RESOLUTION 138376, referring to Council Conference for Thursday, March 21, 1957, the subject of the Boy Scouts lease, for consideration at 9:00 o'clock A.M., was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(Councilman Kerrigan stated that he would notify Mr. Atherton).

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

RESOLUTION 138377, authorizing and empowering City Manager to do all of the work in connection with renovation of the stage at the Balboa Park Bowl, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

It was at this time that the resolution commending Ben Dixon was presented. It will be found listed earlier in these minutes, since the resolution was numbered out of order, by request.

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

Communication from the Purchasing Agent reporting on low bid of V. R. Dennis Construction Co. - \$95,482.40 - for Improvement of Belmont Park, Mission Beach, was presented. There were 4 bids. The subject was explained by the Acting City Manager.

RESOLUTION 138378, accepting bid of V. R. Dennis Construction Company, and awarding contract for improvement of Belmont Park, Mission Beach; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

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

On motion of Councilman Burgener, seconded by Councilman Evenson, the next ordinance was ~~presented~~ 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 final passage written or printed copy.

ORDINANCE 7393 (New Series), appropriating \$105,000.00 out of Capital Outlay Fund for improving Belmont Park, Mission Beach Amusement Center, was on motion of Councilman Burgener, seconded by Councilman Evenson,

3/18/57

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

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

It was communication from Purchasing Agent reporting on low bid of Schafer & Stowers for construction of a Sanitary Sewer Replacement in Chocolate Canyon from Nutmeg Street to Felton Street, southerly to Pennell Avenue at Ash Street - \$39,773.80; 6 bids.

RESOLUTION 138379, accepting bid of Schafer & Stowers for construction of sanitary sewer replacement in Chocolate Canyon; 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.

RESOLUTION 138380, authorizing and directing City Auditor and Comptroller to allocate \$43,800.00 Unallocated Surplus in Sewer Fund 506 to pay for replacement of sewer in Chocolate Canyon, from Ash and Pennall Street to Nutmeg and Felton Streets, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Acting City Manager E. W. Blom requested, and was granted unanimous consent to present 7 subdivision maps in an area west of Montgomery Field, which he said are small, and substandard. They are: Fries Industrial Tract, a portion Lot 13 New Riverside; Hatch-Mathews Industrial Tract, Lots 34 & 47, The Highlands and a portion of Lot 31 New Riverside; Cole Industrial Tract No. 2, Lots 35 & 46, The Highlands; Gibbs-Harbaugh Industrial Tract, Pors. Lots 11 & 12 New Riverside; Gibbs-Harbaugh Industrial Tract Unit 2, portion Lot 48 The Highlands; Andrews-Wood Industrial Tract, west half of Lot 2, New Riverside; Cole Industrial Tract, Pors. Lots 32 & 33, The Highlands. He told the Councilmen that they have been revised by Planning, and he suggested that the question be referred to the Industrial Development Commission for "the level of improvements, size of lots, generally".

Councilman Kerrigan moved to refer the proposed subdivision maps to the Industrial Commission. Motion was seconded by Councilman Schneider.

Councilman Evenson, discussing the matter, said that the Industrial Commission might meet with the Planning Commission, or the Planning staff.

Mr. Blom said that there is a "large number of owners, and there is a good deal of interest".

P. Q. Burton, of the Planning staff, told of the maps having been before the Commission. He discussed the desires with Councilman Burgener, and said "there is a different concept between the area to the north, and this area".

Mr. Blom said that "based on existing dedicated...(but did not complete the statement)".

Councilman Burgener said that it is proposed to eliminate the feeder street.

Mr. Blom said that also based on cutting up the property, there is not much conformity; 1 goes over the "overrun on Montgomery Airport".

RESOLUTION 138381 referring the 7 tentative maps for industrial tract subdivision, to the Industrial Commission, and to the Planning

138379 - 138380

138381 (& industrial tract discussion; brought up earlier and continued to this time).

staff - in an area west of Montgomery Field - was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

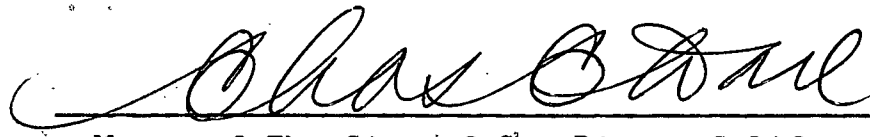
(The maps, and accompanying papers were not sent by the Clerk, inasmuch as individuals affected (represented by E. Cortez Realty Co., signed by H. W. McGuire) requested a hearing before the Council at its next meeting).

There was discussion about adjournment, or recess in order to go to conference.

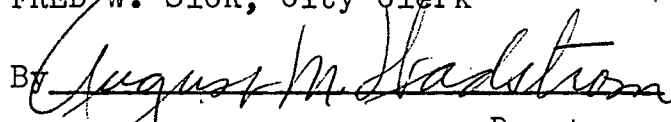
The Vice Mayor said that now the Council is on an annual wage, it is subject to call for conference, and there is no need to "adjourn to conference".

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned at 10:50 o'clock A.M.

ATTEST:  
FRED W. SICK, City Clerk

  
Mayor of The City of San Diego, California

By

  
Deputy

Discussion  
Meeting adjourned

3/21/57

## REGULAR MEETING

Chamber of the Board of Supervisors of the County  
of San Diego - due to the City Council Chambers  
being remodeled - Thursday, March 21, 1957

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

Absent--None

Clerk---Fred W. Sick

A.M.

Mayor Dail called the meeting to order at 10:07 o'clock

Ordinances and Resolutions are recorded on Microfilm Roll 127

The hour of 10:00 o'clock A.M. having arrived, time set for hearing appeal of Columbus Club of San Diego, by Leonard J. Mertel, president, 5023 College Avenue, on decision of the City Planning Commission's denial for a conditional use permit for construction and operation of a meeting hall, approximately 8000 sq. ft. in size to be used primarily for carrying on business and activities of Knights of Columbus, at Gregory and Felton Streets north of Elm Street, P. Q. Burton of the Planning Staff, was heard. He said that the appeal on the conditional use permit is a new procedure. He reviewed the new ordinance, that the appeal disagrees with the finding but not the "fundamental statement of error". He identified the property, and passed around a map. He explained it, in detail. Mr. Burton said that the zoning is R-2. He showed views of the property, and the streets, on a map. He said that the Clerk had a copy of the finding (furnished to the Clerk by Planning for this hearing).

Mayor Dail asked the Clerk to read the Planning Commission's resolution, which he did. The Mayor spoke to Alan Firestone, Deputy City Attorney about the appeal.

Mr. Burton questioned that the appellant had established facts set out in the finding. He said he did not conceive there was to be a full-scale review of feelings. He exhibited picture submitted by the applicant, of the land. He explained the photo and plans for the proposed building, which he held up. He said that the Planning Commission had the plans before it, when the application was considered.

Mr. Firestone reviewed the Code, and said that the "burden would be upon the appellant to show where the Commission had erred. He said that the appellant should be heard, first, then the department representative.

Councilman discussed with Mr. Burton a street closing, and the zoning.

Mr. Firestone stated that there are only 2 things subject to review: matters considered not proper, or refusal to consider the facts. Mr. Firestone said that appeals are subject to review.

Mayor Dail left the meeting

Vice Mayor Williams took the chair

The appeal was read to the Council by the Clerk.

Mr. Mertel, president of the Columbus Club said that the attorney who was to have represented the appellant was ill, and not present here.

Mr. Mertel called C. J. Paderewski, the architect. Mr. Paderewski said that the ultimate appearance of the building would be an asset to the community. He said that the land has not been developed. He said that the Club would be equal to, or better, than the existing residences. He said that if a school were built on the property, there would be more noise than in this case. He said that the only noise with the Club

Meeting convened  
Hearing

✓

would be cars in and out. Mr. Paderewski stated that "the building would not be a detriment".

Councilmen and the Mayor discussed plans and existing conditions with Mr. Paderewski. Mr. Paderewski said that the property owner "to the south is agreeable to this".

Mr. Mertel said that he is not an attorney, "it has been covered".

Councilmen discussed with Mr. Mertel the situation, including streets.

Councilman Schneider said that he would like to see it "on the site".

Mr. Mertel said that the proposed development would not be amenable to present zoning. He said that a Club would not contribute as much noise as permitted uses.

Councilman Curran referred to the Planning file, and said that he wanted the item continued a week, and that he be able to look at it.

Mr. Mertel said that before property was purchased, people in the neighborhood were contacted, and that there was no objection. He said Planning staff was checked, and assurance was given that they would be allowed to proceed.

Dr. Frank Dingeman said that he has 46 lots "in that subdivision"; he built the newest house, a duplex, and that he is in favor of the rezoning. He said that all the section is tax-title lots. He said there is no more sewer than he put in - 30 years ago. Dr. Dingeman said that he gave 12 lots to the Catholic Bishop, and that development would help out the delinquency.

The Mayor invited protests, next.

Lewis Aldridge said he had 8 lots within 300 feet; it is R-2, and he invested on account of it being R-2. He said that the area caters to the type of people who want to get away from noise and congestion. Mr. Aldridge said that he has 4 vacant lots, and that he can't see a club house on account of the dead-end street. He said there was a sewer, 20 or 25 years ago. He said that property owners got together and paid for a sewer; Dr. Dingeman paid not 1 cent. He said "the club house should not be allowed to be built". He said he wants the property and area left peaceful and quiet.

Jack Harrison said that he had 3 lots adjacent to Aldridge. He said he was not notified, or asked about the proposed building. He said that his big objection is on account of the traffic. He said that the streets are not wide enough, or adequate. Mr. Harrison said that the property would probably be rented out, in addition to being used for club purposes. He said that would mean cars being parked in front of homes, and in driveways.

Mrs. Haggett said that it is a dead-end street. She said that there would be a car, and people would come out and gun motors of their cars getting out. She said she bought her house 2 years ago in June; she lived 2 blocks from a club (previously), and there was disturbance. She said she bought on account of this being a quiet residential section. She said she has 2 additional lots, and could built duplexes. She said that noise carries in the open canyons; noise carries. She said that there is no way of putting Felton Street through.

Margaret Bosanko said that she opposes this on account of the traffic.

Councilman Schneider spoke to Mr. Mertel, who told of getting in and out, and of it being not a hard way. He said meetings are held twice a month, with not over 40 to 50 present. He said "parties are family affairs; not public parties".

Councilman Williams spoke to Mr. Mertel about parking, and entering the property.

Mr. Mertel explained that from a map, over which there was a discussion.

Councilman Evenson spoke to Mr. Mertel about preliminary plans, and plans for the structure.

3/21/57

Dr. Dingeman said that he wanted to correct misstatements. He said there are about 18 homes; sewer was put in 38 years ago; the street is well paved. He told of having made payment to Mr. Aldridge for surfacing. He said property was bought at tax titles sales.

Mr. Aldridge, asked if he wanted to make rebuttal, said that the basic facts had been covered.

Mr. Burton reviewed the findings, and the Planning Commission's views. He said that the Columbus Club is not listed in the phone book; there are in existence 8 or 10 clubs, all on major streets or near transportation. He said that some of the facts were obtained from Mr. Morrison, the appellants' attorney. He said that 540 people were arrived at - from the floor area. He said that appearance, based on plans, not on the lumber piled, was used. He said that the Traffic Engineer concluded that it would be difficult to find, and that the streets are not adequate. He said that a school would be of benefit; but that members of the Club live in other areas. He told of installations and improvements, and of the School Board having improved access, answering Councilman Schneider. He said that there was no way of requiring improvement of streets, in this case. He said that 40 people protested zone variance, which was withdrawn, and the conditional use applied for.

Councilman Schneider moved to close the hearing. Motion was seconded by Councilman Curran.

Councilman Curran moved to continue the item 1 week.

Councilman Burgener asked how long the property had been zoned R-2.

Mr. Burton replied "since the 1930's". He spoke to people in the audience, saying that it would be useful to look at the property.

Councilman Burgener seconded the motion, resulting in RESOLUTION 138382, continuing until 10:00 o'clock A.M., Thursday, March 28, 1957, hearing on appeal of Columbus Club of San Diego from Planning Commission decision denying application for Conditional Use Permit to construct and operate meeting hall at Gregory and Felton Streets; agreeing to look at the site prior to the meeting of March 28.

Mayor Dail said that Tom Fletcher, Assistant to the City Manager, was present under unanimous consent, an item not listed on the agenda.

Unanimous consent having been granted, Mr. Fletcher told of having checked the legality of Chula Vista's annexation proceedings. He showed a map, which he explained.

#### Councilman Kerrigan was excused

Mr. Fletcher said that the corridor must be at least 200 feet wide. He told of having checked with the City Engineer, the Surveyor, Title Co. and the San Diego & Eastern Railway. He related the description, and said that the portion has been determined to be only 150 feet in width. He said that a portion had been deeded to the County. He declared that Chula Vista's annexation is illegal, and said that a resolution has been prepared to permit the City of San Diego to proceed.

RESOLUTION 138383, acknowledging receipt of notice of intention to circulate petition to alter boundaries of The City of San Diego by annexing territory immediately south of the City, described as South Bay Annexation, signed by 23 proponents, containing specific boundaries of territory proposed to be annexed, notice accompanied by printed statement of less than 500 words containing reasons for the petition, together with affidavit of the publisher that the notice and statement were regularly published in the San Diego Union on Wednesday, March 20, 1957, which is a newspaper of general circulation published in the County of San Diego, State of California; giving consent and permission to proponents to circulate petition within the area described in the notice, for purpose of securing signatures of qualified electors of the area therein described for the annexation to The City of San Diego, was on motion of Councilman Williams, seconded by Councilman



Curran, adopted.

Councilman Kerrigan returned just prior to adoption of the resolution.

Mayor Dail and Mr. Fletcher said that notices have been completed.

Mayor Dail stated that it is up to the people if they want, or do not want, to annex to San Diego.

Councilman Curran said that "it is important".

The Mayor recognized John Bate, Port Director, and invited him to be heard.

Mr. Bate spoke about the Bay development, of the ship canal from Tijuana River to the sea. He said that would make an industrial area available. He spoke of being able to get legislation this year - and said it is of County-wide interest.

Councilman Schneider said - at this point - that he appreciates Mr. Fletcher finding the situation regarding the annexation (the preceding item).

Councilman Williams said, referring to the statement by Mr. Bate, that "it is to the advantage of all, and is important to all of San Diego Bay".

Petition of El Cortez Realty Co., by H. W. McGuire (referring to the 7 industrial area subdivision maps presented by Acting City Manager E. B. Blom under unanimous consent at the meeting of March 18, 1957), asking that as property managers for the industrial tract in Kearny Mesa owned by Fries, Hatch-Mathews, Cole and Andrews-Woods, hearing be granted this date, was presented.

Mr. McGuire said that he had been told to tread lightly at this time (but did not say by whom). He told of having started 9 months ago "to get this zoning". He told of member of the staff (Planning) having said that this could not be zoned. He referred to only developing the south portion "until the airport". He said that the Planning Commission approved; the Council passed, but the staff opposed. Mr. McGuire told of engineer and attorney having been retained. He said that petitions for tentative subdivision maps had been submitted to Planning, and having been approved, with modification. He said that the subject has been turned back to the staff, the only ones who oppose. He said that some things that are being asked for from the subdividers are not feasible; some are ridiculous. Maps were laid out by the Clerk.

Glenn Rick and William Rick spread out maps for the Council to see.

Mr. McGuire said that "this was started before the Atlas Plant; the same is wanted; some are ready to build". He stated that there have been changes in the community plan.

Glenn Rick said that this involves 7 tentative subdivision maps in an area which he identified, and said that part of the property has been annexed; part of it is in the 20,000-foot circle around Miramar (air field).

Councilman Kerrigan was excused

Mr. Rick spoke of trying to meet the conditions - including desires of the owners of the property sought to be subdivided. He stated that "many things on the community plan differ from the property owners' desires. He said that property owners did not get approval (of their subdivision maps) on account of differences. He asked for approval by the City - as originally requested. He said that there are 8 points, and

proceeded to name them. He said that Balboa extension was proposed for 102 feet; the owners feel that they should not give property for that. He said there would not be sufficient use to make that a requirement. He said that there was willingness to make a 70-foot Kearny Mesa Road; but the 27-foot widening is not approved. He stated that the service road would be 105 feet - a total of 358 feet. He asked for elimination of the North-South street through the property, which he said is not needed. He said that it would be proper to leave a reservation for a 70-foot street. He said that closing of Othello is objected to, in that it is a through street, dedicated for some time. He said that lot design lay-out was requested; the staff re-designed it. Mr. Rick said that there is 1 exception - the Cole property. He spoke of willingness to go along with closing. Mr. Rick said that the 10-foot setback is sufficient; it is the preference to put parking to the rear. He pointed out other setbacks. He stated that it is an M-1A zone. He said that freedom in locating buildings is wanted. He said that elimination of sidewalks is required, because they are not needed. He told of there having been negotiations, based on the subdivision maps. He said that if the owners have to wait, it will hold up development. He told of wanting the "same treatments" - bonds or some other means. He said that the building is needed. He showed maps indicating Planning's approval of each subdivision. He spoke of there being disagreement with the community plan, and said that there had been no notice or publication (regarding its adoption).

Councilman Curran held a discussion with Mr. Rick, and asked if he concurred.

Mr. Rick said "yes"; he "was engaged by the property owners" He declared that there are excessive requirements. He told of proposed substitution for the closing.

Councilman Schneider said that the City should not prevent people from coming in (to develop industries), but he does not want to be too critical of Planning.

Councilman Curran said that the Council had not been briefed on this subject.

Mr. Rick said that the owners were not notified that this was to be referred to the Council on Monday (as it had been under unanimous consent).

Councilman Curran asked if sewer and water had been resolved. Mr. Rick said that property owners expect to put them in; some is already installed; drainage would be installed.

Councilman Williams said that the subject had been presented to the Council in meeting on Monday, by Mr. Blom, under unanimous consent.

Mr. Blom said that was done at the suggestion of Harry Haelsig, Planning Director. He said that it was in the interest of prescribed time, under unanimous consent. He said that Mr. Haelsig had told of "differences". He said that there were changes; recommendations were referred to the Industrial Commission regarding the general level of requirements - for some basis of review. He said that the Industrial Commission has called a special meeting for next Tuesday; several members are out of town at this time.

Councilman Burgener asked if the Council was about to delegate planning duties.

Mayor Dail suggested "reading the ordinance". Mr. Rick told of meeting regarding zoning. Mayor Dail stated that overall planning advices are provided for - not specifically. He said that the Council is not delegating authority, but that it can seek advise from other groups.

Councilman Schneider asked how long this had been. Mr. McGuire replied "since last June; 9 months".

Councilman Schneider said that if this is blocked, it should be brought out.

Councilman Curran said that there are differences of opinion of responsibility, regarding standards. He told of wanting to be guided by the broadest thinking. He said that "if this is stamped today, I'll have to vote 'no'".

Councilman Evenson stated that this is the first industrial subdivision; it is not a residential area. He said that "every size can be established; there are some basic requirements". He said that it would be well to get to conference with Planning "and these people".

Councilman Williams said that one of the reasons for having an Industrial Commission is for the responsibility for proper planning - immediately. He said that there has to be some kind of continuity.

Mayor Dail spoke of having not been able to meet this time schedule; there is the job of looking at the whole picture. He spoke of there being a plan to come before conference (by the Industrial Commission). He said that this can't be decided today; it should go to conference.

Councilman Evenson said that the Council will have to be briefed, also.

Councilman Williams said that the Council should have the over-all Industrial planning.

Councilman Curran spoke about being ready for Monday - for a progress report.

RESOLUTION 138384, referring to Council Conference, at 2:00 o'clock P.M., Monday, March 25, 1957, the matter of proposed Industrial Tract Subdivisions: Andrews-Wood Industrial Tract, West half of Lot 2 New Riverside; Cole Industrial Tract, portions of Lots 32 and 33 The Highlands; Hatch-Mathews Industrial Tract, Lots 34 and 47 The Highlands and portion Lot 31 New Riverside; Fries Industrial Tract, a portion of Lot 13 New Riverside; Gibbs-Harbaugh Industrial Tract, portions Lots 11 and 12 New Riverside; Gibbs-Harbaugh Industrial Tract No. 2, portions Lot 48 The Highlands, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bids of Albert Dryer Furniture, Winfield Furmiture Co., Walker Scott Company, for furnishing 10 items of furniture for Municipal Golf Clubhouse, Balboa Park - 4 bids - was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the report and accompanying resolution of award were continued to the meeting of March 28, 1957..

Report of Purchasing Agent on low bid of Chartier Company for painting Sheds 1 and 2 and Headhouse of "B" Street Pier, Headhouse Broadway Pier and Lindbergh Field Administration Building - \$13,736.00; 7 bids - was presented.

RESOLUTION 138385, accepting bid of Chartier Company; awarding contract, authorizing and instructing majority of members of Harbor Commission to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bid (sole bidder) for furnishing 17 Items of repair parts - National Steel and Shipbuilding Corporation - for GSG-6 Enterprise Engines Serials 48006-11 - \$1,534.30 - was presented.

RESOLUTION 138386, accepting bid of National Steel and Shipbuilding Corporation for furnishing repair parts; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Cont. hearing re industrial tract subs.  
Purchasing reports

138384 - 138386

Report of Purchasing Agent on sole bid of Macco Corporation for furnishing 154 pieces of Sheet Steel Piling for the Harbor Department - recommending rejection of that bid, and authorizing purchase on open market - was presented.

RESOLUTION 138387, rejecting bid received March 15, 1957, for furnishing Sheet Steel Piling, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 138388, authorizing and directing Purchasing Agent to purchase from L. B. Foster approximately 154 Pieces of used Steel Sheet Piling @ \$7.60 per cwt., plus transportation from Chicago, or estimated delivered price of \$9,200.00, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 138389, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Asphalt and Asphaltic Emulsions, April 8, 1957 through March 31, 1958, under Document 549916, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138390, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Girder Rails for 10th Avenue Marine Terminal, under Document 549917, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 138391, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for clean-up dredging of Channel in Commercial Basin, Document 549915; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 138392, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for preparation and painting of exterior surfaces for 7 City-owned buildings, Document 549914; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138393, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for trimming and feeding 75 Monterey Cypress Trees, Mount Hope Cemetery, Document 549913; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, approved by Acting City Manager, recommending modification of contract with American Equipment & Body Company for furnishing 1 Electric Line Truck Body, was presented. Reason for amendment is set out in the recommendation, and attached letter from the Company.

RESOLUTION 138394, amending contract with American Equipment & Body Company, Document 544299, at additional price of \$150.00, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Max J. Schmidt, recommending approval of map of Academy Hill Subdivision a 1 or 2 lot subdivision of portions of Lots 13, 16, 17 Block 3 Nettleship Tye Tract 3, was presented. It recommends 4 conditions, and suspension of portion of the Municipal Code.

RESOLUTION 138395, approving tentative map of Academy Hill; suspending portion of Municipal Code, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Bird Rock Addition resubdivision of Lots 29, 30 and portion Lot 28 Block 23, subject to 3 conditions; and suspension of portion of the Municipal Code, was presented.

RESOLUTION 138396, approving Bird Rock Addition; suspending portion of the Municipal Code, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Boone Subdivision, a 1-lot subdivision of portion of Pueblo Lot 1296, subject to 6 conditions, and suspension of portion of Municipal Code, was presented.

RESOLUTION 138397, approving tentative map of Boone Subdivision; suspending portion of the Municipal Code, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by David B. Elwood, recommending amendment to Resolution 136450 for reduction of setback on Haller Street from 30 to 15 feet, in connection with Tentative Map for resubdivision of Lots 47 and 48 Block 24 City Heights, was presented.

RESOLUTION 138398, amending Resolution 135460, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

The amendment is a reapproval, subject to conditions of the previous resolution.

Communication from Planning Commission, by David B. Elwood, recommending approval of tentative map of Grove Heights Unit 2, resubdivision Lot 43 and portion Lots 46, 47, 48, subject to 3 conditions, was presented.

RESOLUTION 138399, approving tentative map for resubdivision of portion Grove Heights, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Max J. Schmidt, recommending approval of tentative Map of Haustein, a 3-lot subdivision of Lots 27, 28, 29, 30 Block 69 Ocean Beach, subject to 4 conditions, and suspension of portion of Municipal Code, was presented.

RESOLUTION 138400, approving tentative map of Haustein Subdivision, suspending portion of Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Richard L. Weiser,

recommending approval of tentative map of Hidden Valley Slopes, an 8-lot subdivision of portion Pueblo Lot 1288, subject to 3 conditions, and suspension of portion of Municipal Code, was presented.

RESOLUTION 138401, approving tentative map of Hidden Valley Slopes; suspending portion Municipal Code, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Max J. Schmidt, recommending approval of tentative map for 2-lot resubdivision Lot 5 Block 45 Normal Heights, subject to 4 conditions, and suspension of portion of Municipal Code, was presented.

RESOLUTION 138402, approving tentative map for Normal Heights resubdivision, suspending portion Municipal Code, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map for resubdivision of Lots 47 and 48 Block 3 Ocean Beach, subject to 3 conditions, and suspension of portion of Municipal Code, was presented.

RESOLUTION 138403, approving tentative map of Ocean Beach Resubdivision, suspending portion of Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Application of A. L. & Nita Turnipseed for Class "A" Dine & Dance License at 744 Ventura Place, was presented, together with recommendations for approval by City departments.

RESOLUTION 138404, granting application of Aubrey and Nita Turnipseed for Class "C" license to conduct public dance at 744 Ventura Place, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication from the Personnel Director, dated March 18, 1957, announcing meeting to be held Friday, March 22, 1957, 7:00 P.M., in Puppet Theatre, Balboa Park, re salary-setting policies, etc., was presented.

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

Communication from National Association for Advancement of Colored People, 333 Plaza Park Building, re arrest of Robert Lee Rackley in front of 300 14th Street, etc., was presented.

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

Communication from San Diego Race Relations Society, 2811 Franklin Avenue, re representation before the Council on February 19, 1957, on proposed City ordinance "An Equal Opportunity Employment Act", was presented. It tells of having had no word about the proposed ordinance, and advocates adoption.

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



3/21/57

Communication from Mrs. John F. Donovan, 2907 3rd Street, Santa Monica, saying "I feel it is commendable to take steps to protect your "Children", and telling of a personal loss, was presented. (It was unclear, from the letter, what the writer had in mind).

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

Communication from M. C. Pfefferkorn thanking the Council for its resolution handed to him by Councilman Justin C. Evenson (at a civic luncheon upon his retirement as Vice President of the First National Bank), was presented.

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

Communication from Public Utilities Commission, State of California, dated March 15, 1957, by R.J. Pajalich, secretary, was presented. It attaches certified copy of Resolution No. CP-295 allocating from Crossing Protection Fund an amount equal to one-half of the City's share of cost but not to exceed \$2,388.00 in Crossing 2-268.5, intersection of 5th Avenue and track of The Atchison, Topeka and Santa Fe Railway Company in San Diego County.

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

Communication from Public Utilities Commission, State of California, dated March 15, 1957, by R. J. Pajalich, secretary, was presented. It attaches certified copy of Resolution No. CP-296 allocating from Crossing Protection Fund an amount equal to one-half of the City's share of cost but not to exceed \$2,076.00 in Crossing 2-270.4, intersection of 28th Street and track of The Atchison, Topeka and Santa Fe Railway Company in San Diego County.

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

Communication from State of California Alcoholic Rehabilitation Commission, 2180 Milvia Street, Berkeley 1, dated March 15, 1957, by Harold B. Jamison, Acting Secretary, was presented. It sets out the Governor's budget for 1957-58, and says that approval has been recommended by the Legislative Auditor, a sub-committee of the Assembly Ways and Means Committee, and a sub-committee of the Senate Finance Committee. It offers the assistance of the staff at any time upon request.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was filed - after the Acting City Manager said that it was for the Council's information.

Communication from Howard A. Pentoney, president, Ocean Beach Chamber of Commerce - addressed to the Mayor - dated March 19, 1957, was presented. It asks, on behalf of the Board of Directors, about views of the Council on Point Loma area as a possible site for the sewer plant and outfall.

On motion of Councilman Williams, seconded by Councilman Schneider, it was referred to the Mayor for an answer.

3/21/57

Communication from San Diego County Traffic Safety Council, 528 Land Title Building, dated March 18, 1957, by Ronald T. Strong, president, was presented. It requests an appropriation from the City for the fiscal year 1957-1958 of \$7,500.00, and reviews the work.

RESOLUTION 138405, referring to 1957-1958 budget conference communication from San Diego County Traffic Safety Council, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

The next item was numbered, out of order, by request.

RESOLUTION 138406, accepting deed of KFSD, Inc., March 7, 1957, conveying portion Lot 19 Ex-Mission Lands of San Diego, commonly known as Horton's Purchase; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Certificate of the City Clerk setting out the vote cast at the Municipal Primary Election, Tuesday, March 12, 1957, was presented.

RESOLUTION 138407, declaring result of the Municipal Primary Election held in The City of San Diego, California, on March 12, 1957, and the Municipal Primary Election held in that portion of the San Diego Unified School District lying outside the corporate limits of The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Williams.

Offices to be filled, under provisions of Ordinance 7302 (New Series) adopted January 9, 1957, for nomination of candidates for the following named municipal offices, to-wit:

FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 1:

Two to be nominated;

FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 3:

Two to be nominated;

FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 4:

Two to be nominated;

FOR MEMBERS OF THE BOARD OF EDUCATION (full term, six years):

Four to be nominated;

FOR MEMBER OF THE BOARD OF EDUCATION (full term, six years):

Four to be nominated;

FOR MEMBERS OF THE BOARD OF EDUCATION (unexpired term, four years):

Two to be nominated

In San Diego Unified School District lying outside the corporate limits of The City of San Diego, offices to be filled, under provisions of Ordinance 7302 (New Series) adopted January 9, 1957, for nomination:

FOR MEMBERS OF THE BOARD OF EDUCATION (full term, six years):

Four to be nominated;

FOR MEMBERS OF THE BOARD OF EDUCATION (unexpired term, four years):

Two to be nominated.

The total number of votes cast in the City is 51,609;

The total number of votes cast in District No. 1 is 9,840;

The total number of votes cast in District No. 3 is 8,943;

The total number of votes cast in District No. 4 is 10,579.

The total number of ballots cast for all candidates for nomination of Members of the Board of Education is 51,609.

The total vote received by each candidate is as follows:

FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 1:

John McLean Ashton	received	2,886 votes
Mercedes R. Gleason	received	1,414 votes
Fletcher H. Morrison	received	1,928 votes
Ross G. Tharp	received	3,478 votes

Communication  
Election certificate  
138405 - 138407  
138406 is out of order

✓

## FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 3:

Chester E. Schneider		
(Incumbent)	received	5,105 votes
Gerard A. Dougherty	received	1,096 votes
William R. McKinley	received	2,580 votes

## FOR MEMBER OF THE COUNCIL FROM DISTRICT NO. 4.

George Kerrigan		
(Incumbent)	received	7,651 votes
Bernard F. Krezmer	received	966 votes
Pauline H. Munyon	received	1,809 votes

## FOR MEMBERS OF THE BOARD OF EDUCATION

(full term, six years):

William P. Elser		
(Incumbent)	received	30,595 votes
Kenneth R. Rearwin		
(Incumbent)	received	32,998 votes
Jerry L. Givens	received	6,084 votes
John W. Quimby	received	15,819 votes
Robert L. Stevenson	received	9,615 votes

## FOR MEMBER OF THE BOARD OF EDUCATION

(unexpired term, four years):

Richard A. Grihalva		
(Incumbent)	received	26,153 votes
Eugene H. Beraud	received	2,069 votes
Dave Delano	received	2,932 votes
Dr. Robert G. Kaplan	received	4,872 votes
Kay Sterner	received	1,892 votes
Lucille Wherry	received	11,297 votes

The total number of ballots cast in that portion of the San Diego Unified School District lying outside the corporate limits of The City of San Diego for all candidates for nomination of Members of the Board of Education is 75.

The total vote received by each candidate in that portion of the San Diego Unified School District lying outside the corporate limits of The City of San Diego is as follows:

## FOR MEMBERS OF THE BOARD OF EDUCATION

(full term, six years):

William P. Elser		
(Incumbent)	received	27 votes
Kenneth R. Rearwin		
(Incumbent)	received	44 votes
Jerry L. Givens	received	18 votes
John W. Quimby	received	24 votes
Robert L. Stevenson	received	33 votes

## FOR MEMBER OF THE BOARD OF EDUCATION

(unexpired term, four years):

Richard A. Grihalva		
(Incumbent)	received	29 votes
Eugene H. Beraud	received	3 votes
Dave Delano	received	8 votes
Dr. Robert G. Kaplan	received	16 votes
Kay Sterner	received	2 votes
Lucille Wherry	received	15 votes

Candidate William P. Elser and Candidate Kenneth R. Rearwin, being candidates equal to number of offices of Members of Board of Education (full term, six years) for which nominations were made, each having received the votes of more than one-half the qualified electors voting at such election, are deemed to be and are declared to be elected to the offices of Member of Board of Education for unexpired term, 4 years.

The number of votes given in each precinct to each person is recorded in the Election Returns Book, which book is part of the records of the Council.

3/21/57

The resolution authorizes and directs the City Clerk to enter in the minutes of the Council and also in the Election Returns Book a statement showing in respect of said election the matters and things required by Section 27.0822 of the San Diego Municipal Code of The City of San Diego, and to make the results of the canvass of said election returns public immediately by publishing said returns in The San Diego Union, the official newspaper of the City - was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 138408, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 12 locations; a 10,000 lumen overhead street light; and add 9 mercury vapor, 20,000 lumen ornamental street lights to general street lighting contract at Ash Street and Harbor Drive, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 138409, transferring 13 6000 lumen overhead street lights in Los Altos area, currently carried in the Federal Housing Lighting Fund (Account M23x15) to General Lighting Contract (Account M1) in accordance with recommendation of City Traffic Engineer, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 138410, authorizing and directing City Attorney to inform members of the State Senate and Assembly representing San Diego area in the State Legislature of the San Diego City's position in opposition to adoption of Senate Bill 2208, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

The Bill proposes to add a new section to the Public Utilities Code of the State of California, establishing rule of apportionment of expenses of construction, alteration or relocation of railroad grade separations - the method alters that heretofore established by courts of the State of California and the United States, and would be substantially, materially and detrimental to the City.

RESOLUTION 138411, authorizing and empowering City Manager to enter into agreement for and on behalf of The City of San Diego, with O. D. Arnold and Sons, a co-partnership, providing for construction of extension of drainage structure existing in Euclid Avenue westerly to west line of Euclid Avenue, together with appurtenances, etc., under Document 538101, in connection with O. D. Arnold's Bonnieview Unit 3 subdivision, and reimbursement in the sum of \$3000.00 in accordance with Document 550045, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 138412, authorizing City Manager to execute, on behalf of the City, agreement between the City and the County of Orange, Document 550046, re radio relay, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 138413, authorizing and empowering City Manager to execute, for and on behalf of the City, lease agreement with The County

of San Diego and H. A. Oliver for leasing south parking lot of the Civic Center, under Document 550057, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 138414, authorizing and City Manager to execute Change Order "D" to contract with United States Navy to establish maximum sewer service charge for U.S. Defense Housing (Cyane) under provision of Section 64.32 of San Diego Municipal Code, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Resolution authorizing sale and removal of a residential structure from the entrance to the service yard of San Diego in Balboa Park - ratifying the \$10.00 sale and removal - was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the proposed resolution was continued 1 week - to the meeting of March 28, 1957.

RESOLUTION 138415, authorizing and directing Property Supervisor to advertise for at least 5 consecutive days in the official newspaper sale at public auction of portions of Pueblo Lots 1781 and 1780, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Resolution says that land is to be sold for reason no longer required for City purposes. Value of Parcel A is \$3,500 per acre; value of Parcel B is \$3,000 per acre, as disclosed by appraisal made by qualified real estate appraiser, according to the resolution, which sets those figures as the minimum amount the Council will accept. It reserves the right to reject any and all bids, and states that cost of the auction and all expenses in connection with the sale shall be deducted from the proceeds.

RESOLUTION 138416, denying claim of Ewart W. Goodwin, c/o C. C. Adams, manager, Great American Insurance Co., San Diego Trust and Savings Building, San Diego, Document 548197, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138417, denying claim of W. H. Nichols, c/o Percy H. Goodwin Co., 300 First National Bank Building, San Diego 1, Document 548246, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138418, denying claim of Joseph Perricone, dba. San Diego Awning Company, 3766 Fifth Avenue, San Diego, Document 548217, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138419, denying claim of Jean Daze Ratelle, 528 Anderson Place, San Diego 3, Document 548036, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138420, denying claim of Mrs. K. L. Sullivan, c/o

3/21/57

Percy H. Goodwin Co., 300 First National Building, San Diego 1, Document 548208, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138421, denying claim of J. L. Torres, 3934 Eagle Street, San Diego 3, Document 547909, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138422, authorizing Chas. C. Dail, Mayor of The City of San Diego to attend meeting of Board of Directors of League of California Cities, Berkeley, California, April 4 and 5 1957, and meeting of Executive Committee of Japan-American West Coast Mayors and Chambers of Commerce Presidents' Conference, Seattle, Washington, April 6 and 7, 1957, and incur all necessary expenses, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

Resolution setting aside for public purposes portion of Lots D and G Research Park; sewers; directing City Clerk to file copy of Resolution in office of County Recorder, was listed on the agenda.

RESOLUTION 138423, referring to Council conference proposed resolution setting aside public property for public sewer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138424, accepting deed of Asa B. Moore and Mary Hall Moore, March 12, 1957, setting aside and dedicating land for Froude Street; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 138425, accepting deed of Asa B. Moore and Mary Hall Moore, March 12, 1957, conveying easement for alley purposes in portion Lot 24 Block 26 Ocean Beach; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 138426, accepting deed of Asa B. Moore and Mary Hall Moore, March 12, 1957, conveying easement for sewer, water, drainage and public utilities, etc., in northwesterly 4.00 feet Lot 23 Block 26 Ocean Beach; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 138427, accepting deed of Bollenbacher & Kelton, Inc., February 20, 1957, conveying easement and right of way for drainage purposes in portion Lot 18 Rancho Mission of San Diego; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.



RESOLUTION 138428, accepting deed of Bollenbacher & Kelton, Inc., February 20, 1957, conveying easement and right of way for water purposes in portion Lot 18 Rancho Mission of San Diego; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 138429, accepting deed of Bollenbacher & Kelton, Inc., February 20, 1957, conveying easement and right of way for water purposes in portion Lot 18 Rancho Mission of San Diego; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 138430, accepting deed of Bollenbacher & Kelton, Inc., February 20, 1957, conveying easement and right of way for street purposes in portion Lot 18 Rancho Mission of San Diego; naming easement Pitta Street; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 138431, accepting subordination agreement, executed by Thomas E. Sharp, beneficiary, and Union Title Insurance and Trust Company, Trustee, February 27, 1957, subordinating all right, title and interest in and to easement for right of way for public street and incidents, storm drain or drains and appurtenances thereto, etc., in portions Lot 18 Rancho Mission of San Diego; authorizing and directing City Clerk to file subordination agreement, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 138432, accepting quitclaim deed of Tulane Development Co., a corporation, 5506 University Avenue, San Diego, March 12, 1957, quitclaiming to The City of San Diego, 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 Westridge Unit 3; authorizing and directing City Clerk to file deed together with certified copy of resolution for record in office of County Recorder, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 138433, accepting quitclaim deed of Walton Development Co., a corporation, 5506 University Avenue, San Diego, March 12, 1957, quitclaiming to The City of San Diego, water mains and appurtenant structures constructed for its use, located in public streets, right\_s of way, highways and public places, either within or without subdivision named Westridge Unit 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 138434, accepting deed of James V. Marchese and

3/21/57

Nicolina Marchese, March 12, 1957, conveying easement and right of way for drainage purposes in portion Lots 17 and 18 Block 35 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 138435, accepting deed of William P. Odom and Ruth O. Odom, February 20, 1957, conveying portion Lot 29 Lemon Villa; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Resolution accepting deed of KFSD, Inc. was listed earlier in these minutes.

RESOLUTION 138436, accepting quitclaim deed of Harry B. Moody and Mabel A. Moody, February 21, 1957, quitclaiming portion Lot 29 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 Curran, seconded by Councilman Curran, adopted.

RESOLUTION 138437, accepting deed of Union Title Insurance and Trust Company, March 13, 1957, conveying easement and right of way for street purposes in portion Lot 1539 Clairemont Unit 8; naming easement Balboa 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 138438, accepting quitclaim deed of Leonard I. Drogin, Inc., a corporation, 6610 El Cajon Boulevard, San Diego, executed on March 12, 1957, quitclaiming to The City of San Diego, water mains and appurtenant structures constructed for its use, located in public streets, either within or without Grove Heights 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138439, accepting deed of Peter Sampo and Margaret Sampo, March 1, 1957, conveying easement and right of way for drainage purposes in portion Pueblo Lot 265; authorizing and directing City Clerk 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 Curran, adopted.

RESOLUTION 138440, accepting deed of Crest View Trailer Park, conveying portion Lot 22 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 138441, accepting deed of Mid City Heights, Inc., conveying easement and right of way for water and drainage purposes in portion Lot 552 Clairemont Manor Unit 4; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138442, accepting quitclaim deed of Mid City Heights, Inc., July 26, 1956, quitclaiming 12-inch drain pipe and 16-inch water main, together with any and all fittings, structures and appurtenances, located within portion Lot 552 Clairemont Manor Unit 4; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138443, accepting deed of City Heights, Inc., July 26, 1956, conveying standpipe purposes use the northerly 90.00 feet Lot 552 Clairemont Manor Unit 4; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

There was listed on the agenda an ordinance incorporating portion Lot 18 La Mesa Colony and repealing Ordinance 13558 insofar as it conflicts - on which hearing has been held, and which was introduced on March 14, 1957.

Councilman Schneider spoke to a woman in the audience about reeonsideration.

Mrs. Smyth Capp, who had spoken in protest at the hearing, came to the microphone.

Mayor Dail pointed out that the ordinance had been introduced last week.

Alan Firestone, Deputy City Attorney said that "all that is before the Council today is on the adoption".

Mrs. Capp said that she "still protests"; there should not be an R-4 in this area; she "cannot accept Mr. Tyson's reasons". She said that wishes of the community are being ignored, and reviewed the situation, generally. She said that it would be a wedge as R-4; the individual who sought the rezoning is looking for an exaggerated profit. She said that the area is for families; not R-4. She spoke of having street assessment; Mr. Tyson said that radio towers property would be commercial; Planning said R-1. She asked for more study.

Councilman Kerrigan told of a long discussion he had by telephone at night with one of the protestants. He said he voted for the rezoning on Planning recommendation. He talked to Mrs. Capp.

There was much discussion, not shown here, but notes are in the file.

Councilman Curran moved to dispense with reading of the ordinance, and adopt it.

Councilman Kerrigan said that Mrs. Keane (with whom he had talked on the telephone) wanted the item referred back to Planning for re-study.

Motion and second were withdrawn.

Motion was made by Councilman Schneider to refer the item back to Planning for re-study. Motion was seconded by Councilman Williams. Roll was the following: Yeas-Councilmen Williams, Schneider, Kerrigan. Nays-Councilmen Burgener, Curran, Evenson, Mayor Dail (it lost).

3/21/57

On motion of Councilman Curran, seconded by Councilman Evenson, reading of the next ordinance in full prior to passage was dispensed with. There was available for consideration of the Council prior to day of passage written or printed copy.

ORDINANCE 7394 (New Series) incorporating portion Lot 18 La Mesa Colony into R-4 Zone as defined by Section 101.0408 of San Diego Municipal Code, repealing Ordinance 13558 insofar as it conflicts, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted, by vote: Yeas-Councilmen Burgener, Kerrigan, Curran, Evenson, Mayor Dail. Nays-Councilmen Williams, Schneider. Absent-None.

Reading in full of the next ordinance prior to passage was dispensed with on motion of Councilman Burgener, seconded by Councilman Williams. There was available for consideration of Council prior to day of passage written or printed copy.

ORDINANCE 7395 (New Series), setting aside and dedicating portion Lots 4 and 5 Block 412 H. C. Skinner's Addition for public street; naming it Alpha Street, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

Reading in full of next ordinance prior to passage was dispensed with on motion of Councilman Burgener, seconded by Councilman Williams. There was available for consideration of Council prior to day of passage written or printed copy.

ORDINANCE 7396 (New Series) setting aside and dedicating portions Lot 25 Block 5 Stetson's Addition as and for public alley and street: naming parcel Florence Street, and dedicating alley, was on motion of Councilman Williams, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays-None. Absent-None.

Reading in full of next ordinance prior to passage was dispensed with on motion of Councilman Burgener, seconded by Councilman Williams. There was available for consideration of Council prior to day of passage written or printed copy.

ORDINANCE 7397 (New Series) authorizing leasing of portion Pueblo Lot 1360 (to Rancho Helming, Inc.) - form of lease Document 550146, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays-None. Absent-None.

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

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

ORDINANCE 7398 (New Series) appropriating \$43,000.00 out of Capital Outlay Fund and transferring same to funds appropriated by Ordinance 7199 (New Series) for acquisition of land for widening 54th Street and University Avenue, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays-None. Absent-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 in full was dispensed with by not less than 4 votes of the Council. There was available for consideration of Council prior to day of passage written or printed copy.

ORDINANCE 7399 (New Series), appropriating \$3,000.00 out of Capital Outlay Fund for paying City's share of cost of constructing drainage facility in Euclid Avenue, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

Councilman Kerrigan was excused

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

RESOLUTION 138444, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with San Diego County Council Boy Scouts of America, about 18.5 acres in Pueblo Lot 1131 south of Upas Street and east of Freeway in Balboa Park, for 50 years beginning on date of execution of lease, at rental of \$1.00 per year, for Boy Scout Headquarters; value of land is \$70,000; under Document 550153, was on motion Councilman Burgener, seconded by Councilman Evenson, adopted.

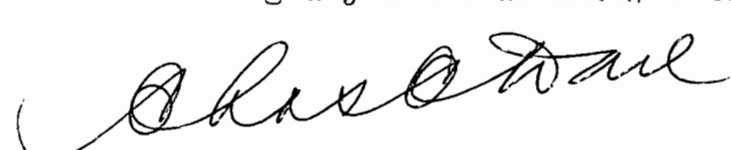
The Mayor presented, under unanimous consent, the next item, not listed on the agenda - which was read to the Council by the Clerk:

RESOLUTION 138445, urgently and sincerely recommending that all citizens of the San Diego area attend public meeting Friday, March 22, 1957, 8:00 P.M., in Russ Auditorium. San Diego High School, for purpose of disseminating latest information, progress and developments concerning sea water conversion, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

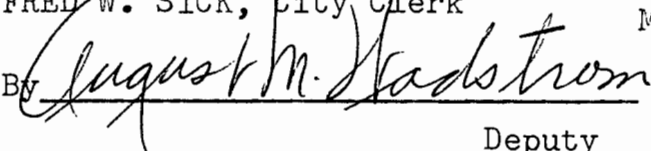
There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 12:07 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

  
Mayor of The City of San Diego, California

By

  
Deputy

3/25/57

## REGULAR MEETING

Chamber of the Board of Supervisors of the  
County of San Diego - in lieu of meeting in  
Council Chamber which is being remodeled -  
Tuesday, March 25, 1957

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

The meeting was called to order by the Mayor at 10:07  
o'clock A.M.

Ordinances and Resolutions are recorded on Microfilm Roll 127.

The Reverend L. A. Marquardt, Calvary Presbyterian Church,  
was introduced by the Mayor. He gave the invocation.

Mayor Dail welcomed new City employees who were visiting  
the Council meeting.

On motion of Councilman Kerrigan, seconded by Councilman  
Schneider, minutes of the Regular Council meetings of Tuesday, March 19,  
1957, and of Thursday, March 21, 1957, They were signed by the Mayor.  
were approved.

The hour of 10:00 o'clock A.M. having arrived, time set for  
receiving bids for furnishing electric current in El Cajon Boulevard  
Lighting District 2, for 1 year from and including March 1, 1957, to and  
including February 28, 1958, the Clerk reported 1 bid.

On motion of Councilman Schneider, seconded by Councilman  
Kerrigan, it was publicly opened and declared.

It was the bid of San Diego Gas & Electric Company, accompanied  
by certified check in sum of \$74.88 written by San Diego Trust and Savings  
Bank.

On motion of Councilman Schneider, seconded by Councilman  
Kerrigan, it was referred to City Manager and City Attorney for recommend-  
ation.

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 2, for 1 year from and including ~~February 28, 1957~~ March 1, 1957  
to and including February 28, 1957, the Clerk reported 1 bid.

On motion of Councilman Kerrigan, seconded by Councilman  
Evenson, it was publicly opened and declared.

It was the bid of San Diego Gas & Electric Company, accompanied  
by certified check in sum of \$35.34 written by San Diego Trust and Savings  
Bank.

On motion of Councilman Kerrigan, seconded by Councilman  
Evenson, it was referred to City Manager and City Attorney for recommend-  
ation.

Meeting convened  
Invocation

New employees welcomed  
Minutes approved  
Bids for electric current.



3/25/57

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing electric current in University Avenue Lighting District 2, for 1 year from and including March 1, 1957 to and including February 28, 1958, the Clerk reported 1 bid.

On motion of Councilman Curran, seconded by Councilman Evenson, it was publicly opened and declared.

It was the bid of San Diego Gas & Electric Company, accompanied by certified check in sum of \$52.84 written by San Diego Trust & Savings Bank.

On motion of Councilman Curran, seconded by Councilman Evenson, it was referred to City Manager and City Attorney for recommendation.

Councilman Evenson entered the meeting

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 137837 for paving and otherwise improving Crown Point 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.

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 137841 for paving and otherwise improving Melrose 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.

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 137842 for paving and otherwise improving Nashville Street, La Salle Street, Western Street, Lapwai Street and Juniper Street, the Clerk reported written protest from Jessie Lynch.

The Mayor inquired if anyone was present to be heard.

The City Engineer reported a .007% protest.

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

RESOLUTION 138446, overruling and denying protest of Jessie Lynch against improvement of Nashville Street, LaSalle Street, et al., overruling and denying all other protests, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

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

There was listed on the agenda a continued hearing (hearing was closed at the hearing of March 12, 1957, on Resolution of Intention 137716 to vacate portion of Ivy Street between Pacific Highway and California Street, full width.

Councilman Kerrigan stated that a continuance of 2 weeks had been requested.

RESOLUTION 138447 continuing hearing on proposed vacation of portion Ivy Street, Resolution of Intention 177736, to 10:00 o'clock A.M., Monday, April 8, 1957, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The 6 following items, which had been referred to Conference by the Council were returned, and filed by the Clerk:

California Roadside Council communication requesting support of Senate Bill 666 - Document 548645;  
 San Diego County Water Authority communication re proposed \$35,000,000.00 Bond Election - Document 548569;  
 National Association for Advancement of Colored People requesting to be heard February 19, 1957 - Document 547368;  
 County Chief Administrative Officer communication re proposed third floor addition to Civic Center Wings - Document 547925;  
 San Diego Chamber of Commerce communication opposing AB 2249 re creating San Diego Metropolitan Transit Authority - Document 548944.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2567 for paving and otherwise improving Morena Boulevard, Paul Jones Avenue, Ethan Allen Avenue, Princeton Avenue, Moultrie Avenue, Trenton Avenue, Ticonderoga Street, Bunker Hill Street, Brandywine Street, Alleys Blocks 2, 3, 4, 8, 9, 10 American Park Addition Public Rights of Way in Lot 5 Partition of Pueblo Lot 1209, and Lot 22 Block 5 American Park Addition, the Clerk reported written protests (appeals) from W. J. Lowrey, Mr. and Mrs. M. E. Rosson, Bennie J. & Dorothy Zlateff; Harold W. Culver Assistant to the Associate Superintendent, San Diego City Schools; Harry C. Leasure and Rita A. Leasure; John A. Bailey and others; Florence W. Taber and John A. Taber, William C. Reed, Ann E. Somers, Mary Blanche Christensen.

Asked for a report, the City Engineer said that there were 9 appeals that he had seen, and there are 14 new names (filed just before the meeting was convened).

John A. Bailey, who identified himself as representing "Block 4 American Park". He said that Princeton is cracking. He said he was complaining about the accessibility of the garages from the alley. He said that "contractor set in the curbs"; the alley is not sufficiently hurt. He said that if children should fall, the City would be liable. He said that there is a ditch, and wants something done.

There was discussion between Councilmen and Mr. Bailey.

Mr. Bailey said he hates to think what would happen if a fire truck comes through.

The City Engineer said that it is not a question of design; rains have eroded the area; the contractor is not responsible. He said that some protection will be needed - possibly a temporary surfacing.

Mr. Bailey said that better than 50% of the people use the alley.

The City Engineer said that the ditch might be filled up, and a temporary surface put on. He said the "sewer was a portion of the job"; rains eroded a 3-foot deep ditch. He said that should be improved at City expense.

E. W. Blom, Acting City Manager, said that subject should be referred to the City Manager.

Mr. Bailey said that it is a contour alley.

The City Engineer said that grading (of the alley) is not in the contract).

There was discussion between the City Engineer and Mr. Bailey.

The City Engineer said that if there is a petition for alley

3/25/57

improvement, the alley grade could be changed. He said that "garages apparently were built to the ultimate grade".

Councilman Burgener moved to refer to the City Manager the situation in the alley. Motion was seconded by Councilman Schneider.

Benny Zlateff said that the southerly part of Ticonderoga is not paved. He asked what he was paying for. He said that he "received quite a bill"; they cannot receive FHA approval; they have to go a long way to reach the sewer. He said he protested the last time (the previous hearing); curbs were put in to protect. He said that he has a bill now, and asked why. He said that his bill is over \$1,000.

The City Engineer laid down a plat, and told of assessment being for sewer, water, area assessment for 1/2-width street. He said "there are others". There was a conference over the map, and discussion between Councilmen the Engineer and Mr. Zlateff.

Mr. Zlateff asked if the "district could be sustained on additional improvement".

The City Engineer discussed with him the assessment charge. He spoke of having had quite a hassel on this subject, by many. He said that he "came up with this solution".

Mr. Zlateff declared that other people will be hurt.

There was continued discussion between Councilmen, the City Engineer and Mr. Zlateff about contitions and assessment.

Mr. Zlateff spoke of building for the future; he was willing to pay, but wanted to be helped.

The City Engineer said that lots on south side of Ticonderoga are a nursery. He said that when the nursery is subdivided, improvements will be required.

Mr. Zlateff said he realizes that problems may arise in the future that can't be settled now.

Councilman Kerrigan said that the question here is if the assessment is fair and equitable. He pointed out that this Council can't bind future Councils.

Mayor Dail said that "the future is not the subject of consideration; the Council (now) can speak only for itself".

Councilman Burgener pointed out to Mr. Zlateff that it is impossible for the City to contribute to this project.

Councilman Kerrigan said that he wants the names of the protestants, and locations of their property.

The City Engineer explained that point from a map, and said that "property that is assessed is considered to be benefited".

William C. Reed said that he does not know where his property is located; it is not in the subdivision, but adjoins it. He said that he had received an assessment on 5 acres. He said that he has a big bill: North 1/2 Lot 12, which "stands pretty much on end".

There was further discussion over a plat.

Willard Olson, of the City Engineer's office, said that Mr. Reed can get 1 sewer connection.

Mr. Reed said that he could have 1 bathroom - in the attic. He said that there is about a 6-foot fill; a 6-foot drop; 1 building site. He said that it is canyon, and that he is pretty much stuck.

There was discussion between Councilman Schneider, and Mr. Olson who told for what the Reed property is assessed.

The Engineer said that the water line is to serve the whole area; Mr. Reed has 5 acres, with water frontage over the whole length; 1 connection on sewer; hydrant and intersection are assessed. He pointed out that "most anything is buildable, now".

Councilman Burgener said that all protestants should be heard, and this assessment be evaluated.

Mrs. Betty Rowe, on Brandywine, said that she is in Eureka Lemon Tract; it is of no use. Asked about her property, Mrs. Rowe said that she had about 80 acres; in Lot 18, 9+ acres.

The City Engineer said that "it is the same as the other one".

Mrs. Rowe said that another 1 lot , 3 in Pueblo Lot 1209 is

\$270.89.

3/25/57

The City Engineer declared that this is "all good, buildable land".

Willard Olson said that there are all area charges.

The Engineer repeated that it is all good buildable land.

Harry Leasure, Lots 17 and 18 Block 7 said that his objection is to lowering the entrance to the driveway. He said by the builder that he could "tie in"; but it is about 4 feet lower. He asked in whose hands the cost should go - to the builder, the contractor, or himself.

The City Engineer said it looks like builders had given no attention to information given by his office.

Councilman Burgener said that the record should be checked to see if building had been to grade.

The City Engineer said that there are small houses, crowded in, and that it looks like nobody paid attention to the grade. He said "an excellent job was done on setting the grade".

Mr. Leasure said that there is some 8 or 9 feet difference.

Councilman Burgener said that question is if there was re-adjustment. He said that if assessment is taken off some, it would be put on others, and then other protests would be received.

Councilman Burgener said that "there was a minority protest, earlier.

Mrs. Somers, at Brandywine and Princeton, was heard. She said that when she bought, she was told there would be a different grade. He told of men who had marked. She said that the house was left in a hole, on account of a fill. She said she can't find remedy except for high cost change. She said that she offered to pay for sidewalks, and that she does not know how to cope with the situation.

Councilman Schneider said that the Engineer has said that there could have been 3 surveys; there was no change from the original plans.

Mrs. John Malanga said that she changed the garage from the front to the back; she has 2 lots; she can't get in. She spoke of having to excavate in front for steps, and she would still get water and mud. She said that she investigated "at the City Hall" before building. She said she was told it was not to go down more than 4 or 5 feet; they went down 11 feet. She said that she had to change the house. Mrs. Malanga told the Council that she and her brother in law own 5 lots, and said "it is like a cave".

Mayor Dail said that he does not know the property owners can be notified regarding these grade changes.

Mrs. John Vierra stated that the contractor told her it would be dropped only 1 foot; 1 section is 5 feet; 1 7 feet. She said that the alley is torn up, and that she is blocked; she cannot get in or out. She said that the lateral was put in the opposite direction from the sewer line. She declared that it could have been better. She said that she had to put in a driveway; a telephone pole leaned into the yard, and a new one had to be put in.

The City Engineer said that these are steep, side-hill places; "the pattern was set".

Mrs. Vierra said that the assessments are high.

Mayor Dail said that the Council had better all go out and look at this.

RESOLUTION 138448 continuing to the meeting of March 25, 1957; referring to the City Manager the situation of the grades; Assessment 2567 made to cover cost and expenses of paving and otherwise improving Morena Boulevard, Bunker Paul Jones Avenue, Ethan Allen Avenue, Princeton Avenue, Moultrie Avenue, Trenton Avenue, Ticonderoga Street, Bunker Hill Street, Brandywine Street, and Alleys, Resolution of Intention 129064, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2568 made to cover costs and expenses of paving and otherwise improving Roanoke Street, Rachael Avenue, Hopkins Street, Deauville Street, Morningside Street, Reo Drive, Alleys in 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, et al., Resolution of Intention 131178, the Clerk reported written appeal from Charles H. Cole and Ruth C. Cole.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 138449, overruling and denying appeal of Charles H. Cole and Ruth C. Cole, from Street Superintendent's Assessment 2568 made to cover costs and expenses of paving and otherwise improving Roanoke Street, Rachael Avenue, Hopkins Street, Deauville Street, Morningside Street, Reo Drive, Alleys in Block 44 Paradise Hills Unit 3, Public Rights of Way in Block 44 and Block 52 Paradise Hills Unit 2, and in Block 39 Paradise Hills Unit 2, Resolution 131178; confirming and approving Street Superintendent's Assessment 2568; 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, time set for hearing on Assessment 2569 made to cover costs and expenses of paving and otherwise improving Seminole Drive, Acorn Street, 63rd Street, Public Rights of Way in La Mesa Colony, the Clerk reported written appeal (typewritten signature) from Geo. A. Pallas.

Asked for a report, the City Engineer said that it was a 1.1% appeal.

The Mayor inquired if anyone was present to be heard.

Timothy J. Sullivan reviewed the notice, and said the property is 75 ft x 100 ft; price (presumably the assessment) is \$975.11.

Councilman Kerrigan said to Mr. Sullivan that this was done by bid, and discussed details with Mr. Sullivan. He said "anything is unusual", phrasing it in the form of a question, to the City Engineer.

Willard Olson, from the City Engineer's office, replied "no".

George Pallas, portion Lot 21, asked about assessment amounts.

Councilman Kerrigan discussed the assessment with Mr. Pallas.

Mr. Pallas said that there is no sidewalk.

Mr. Olson said that the School is putting in the sidewalk, and he then explained details to the appellant from a map.

Councilman Kerrigan said that this is going to require a property split.

Mr. Pallas said "not yet", but there is an application (for sale of property); record of survey is in. He said assessment will be on 1; not 2. He said that there is too much assessment on the water service.

RESOLUTION 138450, overruling and denying appeals of George A. Pallas and Timothy J. Sullivan from Street Superintendent's Assessment 2569 made to cover costs and expenses of work of paving and otherwise improving Seminole Drive, Acorn Street, 63rd Street, Public Rights of Way in La Mesa Colony, Resolution of Intention 131337; overruling and denying all other appeals; confirming and approving Street Superintendent's Assessment 2569; 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 Evenson, adopted.

3/25/57

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2570 for paving and otherwise improving 33rd Street, with portions of Ash and "A" Streets, the Clerk reported written appeals from Isabel L. Schubert and Max F. Schubert and from Jackley W. Moreno.

The Mayor inquired if anyone was present to be heard.

Mrs. Mac Schubert said that she protested when the improvement was proposed. She told of being cut off, with no access. She said that she is on the lower side of the canyon. She said there was a barrier, but that has been removed. She said that engineers stated that there should be a 2-level road. She repeated that she has been cut off. Mrs. Schubert spoke of getting no benefit, but of being hurt. She said that her property should be eliminated from the assessment.

Willard Olson, of the City Engineer's office, said that according to State law the property has to be assessed.

Mrs. Schubert said that she can't use the street, but she could, formerly. She said that there is "no chance of getting in"; there is no improvement; the property is hurt.

Jackley Moreno said that his complaint is regarding damage to the property and to the sidewalk. He said that property was used by the contractor for a dump. He requested the removal, but the property was filled.

Councilman Curran held a discussion with Mr. Moreno.

Mr. Moreno said that he objected to the concrete and the dirt. He spoke of a cut, and of planning to build, but the contractor bulldozed out half of the lot.

Mayor Dail pointed out to Mr. Moreno that is between him and the contractor.

Mr. Moreno said that sidewalk is in a shambles; the City should be more cautious.

The Mayor repeated that is between Mr. Moreno and the contractor, or a civil action.

The City Engineer said that the question of filling on private property, where the contractor makes arrangements with the property owners (not the City).

Mayor Dail said to Mr. Moreno that he should go to an attorney.

Councilman Curran asked about the condition of the sidewalks, and asked if that "was checked out".

Mr. Olson said that the sidewalk would be between the contractor and the property owner.

Mrs. Moreno (mother of the previous speaker), said she "never gave anybody authority to put anything in". She said that she did not want the fill, then the contractor cut out a portion of the property, and he broke the sidewalk.

Mayor Dail pointed out that this is not a City problem; Mr. Olson had said that it was to be filled in. He stated that the Council was to decide upon the equitability of the assessment.

Mrs. Moreno said that the Engineer broke down the estimate for the improvement, and she reviewed information from the City Engineer's office on the assessment estimates, and she reviewed other assessments.

Mr. Olson said that he did give an estimate in 1955, on 9 lots and a portion of 1. He related the assessment, from a plat.

Mr. Olson and Mrs. Moreno held a discussion about the several assessments.

Mrs. Moreno said that her "beef, now, is regarding there being so much more assessment". She declared that she is still protesting.

RESOLUTION 138451, overruling and denying appeals of Max F. Schubert and Isabel L. Schubert, Jackley W. Moreno, from Street Superintendent's Assessment 2570 made to cover costs and expenses of paving and otherwise improving 33rd Street, Ash Street and "A" Street, Resolution of Intention 131889; confirming and approving Assessment 2570, 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.

Report of Purchasing Agent on sale of 1 lot of furniture located at 3365 Congress Street, was presented. It states that \$387.87 received has been deposited with the City Treasurer.

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

RESOLUTION 138452, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 6-month requirements of Traffic Paint (approximately 2,100 gallons), under Document 550073, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Max J. Schmidt, recommending approval of revised tentative map of Vista Mesa Annex (formerly Vista Mesa Unit #2), being portion of Pueblo Lot 1212, zoned R-1 - a 664-lot subdivision located in Vista Mesa Park and Vista Mesa Unit #2 area, was presented. Recommendation is subject to 14 conditions, and suspension of portion of the Municipal Code.

RESOLUTION 138453, approving revised tentative map of Vista Mesa Annex; suspending portion of Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Max Schmidt, recommending approval of tentative map of Vista Mesa-Revised portion - including Lots 263 through 536 and is portion of Pueblo Lot 1214, located west of Vista Mesa No. 1; originally approved by Resolution 134075 and reapproved by Resolution 136578, was presented. Recommendation is subject to 12 conditions and suspension of portion of the Municipal Code.

RESOLUTION 138454, approving tentative map of Vista Mesa, Revised Portion; suspending portion of Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication from California Sewage and Industrial Wastes Association, by Eric V. Quartly, president, was presented. It announces 29th annual conference at El Cortez Hotel, San Diego, May 1 - 4, 1957. It urges official City representation, and elaborates on the purpose of the conference.

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

Communication from Margaret F. Culbertson, 1646 Adams Avenue, San Diego 16, dated March 20, 1957, was presented. It suggests the Ford Building, which has never been in keeping with the architecture of the rest of Balboa Park, for razing and as site for the proposed civic theater.

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

(The site at another location in Balboa Park has been determined, and has been provided for on the ballot for the April 16, 1957 election).

Communication from Southern California Exposition and San Diego County Fair, P.O. Box 578 Del Mar, California, by Paul T. Mannen, Secretary-Manager, was presented. It invites the placing of a Civil Defense display at the 1957 exposition, June 28 through July 7, and says that "space would be allocated on a gratis basis".

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

RESOLUTION 138455, directing notice of filing Assessment 2580 made to cover cost and expenses of work done upon paving and otherwise improving Alley Block 2 Tract 1382, Wilshire Place, and Meade Avenue, Resolution of Intention 135001, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138456, directing notice of filing Assessment 2581 made to cover cost and expenses of work done upon paving and otherwise improving Kendall Street, Resolution of Intention 133814, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138457, directing notice of filing Assessment 2582 made to cover cost and expenses of work done upon paving and otherwise improving Rosefield Drive and 67th Street, Resolution of Intention 130671, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

There was listed on the agenda resolution for award of contract to Kenneth H. Golden Co., Inc. for paving Bangor Street, between Harbor View Drive and Talbot Street. It states that low bid is 21.4% above the estimate; postal card survey (by City Engineer) reveals that 68.8% of the frontage on Bangor want the paving awarded; 31.2% property frontage want the job abandoned.

Councilman Schneider reviewed the protest poll, and Willard Olson of the City Engineer's office, said there was a 52% protest.

The City Engineer said that his office took the poll, and that 68.8% want the award. He reviewed details of the poll, and made a verbal recommendation for award.

Councilman Schneider moved to abandon the project.

Members of the Council held a discussion on the subject.

Councilman Burgener asked if there were people here favoring the improvement.

An unidentified man's voice from the audience said "yes".

Councilman Schneider discussed with the Mayor, the poll. The Engineer, according to Mr. Schneider, "ignored the area vote; he took only the frontage". He asked how many houses there are on the frontage.

Someone from the audience, again, said "6 houses".

Councilman Kerrigan said that the question is if the Council wants to award at a higher figure than the estimate. He wondered if abandoned, it could be paved any cheaper.

There were discussions among people in the audience, not directed to the Council.

A woman, whose name was not understood, said that it is a dead-end street, of no use. She spoke of property being against 2 canyon lots, facing Harbor View Drive.

Councilman Kerrigan held a discussion with the woman who spoke. He said that hearings have been held; the poll was on the bid.

Councilman Schneider spoke to some men in the back of the Council chamber. They had spoken out. There was discussion among several persons sitting in the audience.

On motion of Councilman Kerrigan, seconded by Councilman Curran, it was continued 1 week.

RESOLUTION OF AWARD 138458, accepting bid of Kenneth H. Golden Co., Inc. and awarding contract for paving and otherwise improving Everts Street, Resolution of Intention 136916, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The City Engineer reported the low bid is 1.0% below the estimate.

RESOLUTION OF AWARD 138459, accepting bid of Kenneth H. Golden Co., Inc. and awarding contract for paving and otherwise improving Orten Street, Resolution of Intention 136917, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The City Engineer reported the low bid is 0.5% above the estimate.

RESOLUTION OF AWARD 138460, accepting bid of Walter H. Barber and awarding contract for installation of sewers in Payne Street, Greely Avenue, Public Rights of Way, Resolution of Intention 136918, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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

RESOLUTION 138461, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 197 City Heights, University Avenue, and establishing official grade, Documents 493342 and 549779; approving Plat 2927 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 Schneider, adopted.

RESOLUTION 138462, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 26 Fairmount Addition, and establishing official grade, Documents 493342 and 549773; approving Plat 2938 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 Schneider, adopted.

RESOLUTION 138463, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 13 La Jolla Strand, and establishing official grade, Documents 493342 and 549781; approving Plat 2935 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

3/25/57

of City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138464, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 12 La Mesa Colony, and establishing official grade, Documents 493342 and 549776; directing City Clerk, upon passage of Resolution of Intention, to file plat in office of City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 138465, for paving and otherwise improving Alley Block 1 Ocean Spray Addition, Resolution of Intention 137475, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 138466, for paving and otherwise improving Alley Block 318 Reed and Daley's Addition, 28th Street and 29th Street, Resolution of Intention 137476, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 138467, for installation of sewers in Muirlands Drive, El Camino Del Teatro, El Paso Real, Lane in Lot 1 Block 16 The Muirlands, and Public Rights of Way, and Pueblo Lot 1257, Resolution of Intention 137376, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 138468, for installation of street light standards and other improvements in Wisteria Drive, Resolution of Intention 137477, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138469, directing notice inviting sealed proposals for furnishing electric energy in Talmadge Park Lighting District 4, for 1 year from and including April 1, 1957, to and including March 31, 1958, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 138470, for paving and otherwise improving Kurtz Street and acquisition of Public Rights of Way, and establishing official grade, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 138471, for paving and otherwise improving Santa Fe Street, Balboa Avenue, and establishing official grade, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The resolution declares the intention of the Council to order that \$6,300.00 shall be paid out of the Treasury of the City, and particularly out of funds appropriated by Ordinance 7380 (New Series).

RESOLUTION OF PRELIMINARY DETERMINATION 138472, for paving and otherwise improving ~~and-otherwise-improving~~ Alley Block 197 City Heights, University Avenue, and establishing official grade, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 138473, for paving and otherwise improving Alley Block 26 Fairmount Addition and establishing official grade, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 138474, for paving and otherwise improving Alley Block 13 La Jolla Strand, and establishing official grade, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 138475, for paving and otherwise improving Alley Block 12 La Mesa Colony, and establishing official grade, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138476, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 15 Center Addition to La Jolla Park, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138477, ascertaining and declaring wage scale for ~~paving-and-otherwise-improving-Girard-Avenue~~, installation of street lighting system in Girard Avenue, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138478, ascertaining and declring wage scale for installation of sewers in Pardee Street, "K" Street, Alley Block 4 G. H. Crippen's Addition, and Public Rights of Way, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138479, approving diagram of property affected or benefited by work of improvement done on paving and otherwise improving Alley Block 66 City Heights, Resolution of Intention 134261, and to be assessed to pay expenses thereof; directing Clerk of the City at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138480, approving diagram of property affected or benefited by work of improvement done on paving and otherwise improving Alley Block 20 Swan's Addition, and Fairmount Avenue, Resolution of

Intention 134756, and to be assessed to pay expenses thereof; directing Clerk of the City at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138481, establishing a one-way alley:  
East-west alley north of El Cajon Boulevard between Dayton Street and Gilbert Drive, for westbound traffic; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138482, prohibiting parking of automobiles at all times:  
Both sides of Acorn Street between 62nd and 63rd Streets; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 138483, establishing parking time limit of 2 hours, between 8:00 A.M. and 6:00 P.M., Sundays excepted:  
Both sides of B Street between 16th and 17th Streets;  
Both sides of 16th Street between B and C Streets;  
establishing Parking Meter Zones; directing City Manager to cause Parking Meters to be installed and cause Parking Meter Spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Resolution establishing 2-hour parking zones on portions of University Avenue and Centre Streets, was listed on the calendar.  
On motion of Councilman Curran, seconded by Councilman Kerrigan, the proposed resolution was continued 1 week.

RESOLUTION 138484, authorizing City Manager to accept work on behalf of The City of San Diego in Arnold Knolls Annex Subdivision and execute Notice of Completion and have it recorded - Agreement Document 521456 - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138485, authorizing City Manager to accept work on behalf of The City of San Diego in Arnold Knolls Subdivision and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.  
Agreement is Document 512470.

RESOLUTION 138486, authorizing City Manager to accept work on behalf of The City of San Diego in Bowlero Subdivision and execute Notice of Completion and have it recorded - Agreement Document 531507 - was



3/25/57

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

RESOLUTION 138487, authorizing City Manager to accept work on behalf of The City of San Diego in Campanile Terrace Unit 3 Subdivision, and execute Notice of Completion and have it recorded - Agreement, Document 537593 - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138488, authorizing City Manager to accept work on behalf of The City of San Diego in Clairemont Vista Unit 1 Subdivision - Agreement Document 527866 - execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138489, authorizing City Manager to accept work on behalf of The City of San Diego in La Jolla Hermosa Heights Subdivision - Agreement Document 533382 - execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138490, authorizing City Manager to accept work on behalf of The City of San Diego in Westridge Unit No. 1 subdivision - Agreement Document 524804 - execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138491, authorizing and empowering City Manager to do all of the work in connection with installation of 900' of 12" AC water main across Highway 101 at Camp Callan to supply water for John J. Hopkins Laboratory, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138492, authorizing and empowering City Manager to do all of the work in connection with replacing of 280 feet of water main on University Avenue between Falcon and Eagle Streets, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138493, authorizing City Manager to employ Griffith Company to perform work shown on Drawing 3536-D under 1911 Street improvement act proceeding in Kendall Street; cost not to exceed \$379.80, payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138494, authorizing City Manager to employ T. B. Penick & Sons to perform work on Drawing 12843-L under 1911 Street Improvement Act proceedings in Alley Block J Montecello; cost not to exceed

3/25/57

\$101.50, payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138495, approving request of Fairchild Aerial Surveys, Inc., March 6, 1957, Change Order 1, for extension of 60 days to and including June 14, 1957, Document 550074, in which to complete contract for 5th Supplemental Agreement, contract Document 541519; extending completion under the contract to June 14, 1957, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138496, approving Change Order 2, March 12, 1957, Document 550075, issued in connection with contract between the City of San Diego and V. C. Moffitt & Company for construction of Colina Del Sol Park Sprinkler System, contract Document 542249; extending completion time 44 days to and including April 21, 1957, and increasing contract price of approximately \$2,123.46, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138497, approving request of V. C. Moffitt & Company, March 12, 1957, Change Order 3, for extension of 30 days to and including April 11, 1957, Document 550077, in which to complete contract for South Clairemont Park Sprinkler System, contract Document 540799; extending completion of contract to April 11, 1957, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138498, approving Change Order 1, March 11, 1957, Document 550079, issued in connection with contract between The City of San Diego and Fritz A. Nanchant for construction of storm drain in Olvera Avenue, etc., Document on contract 546742, amounting to increase in contract price of \$100.00, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138499, approving Change Order 3, request of Russell Thibodo & L. Castillo Const. Co., March 4, 1957, Change Order 3, for extension of 30 days to and including April 26, 1957, Document 550081, in which to complete contract for construction of Frontier Pumping Station, contract Document 537479, extending completion time to April 26, 1957, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138500, notifying Carlton Casebolt to remove sign erected between property line (front) and building set-back line at his own expense, and at no cost or obligation on the part of the City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution refers to Ordinance 401 New Series) which established set-back line of 22½ feet from property line abutting on Pacific Highway. It says that by Agreement executed August 29, 1939, and recorded in Book 954 Page 11 of Official Records, Carlton Casebolt and H. C. Fenn, owner and lessee at time of execution of Agreement, agreed to move the sign at their own expense and with no cost or obligation on the part

of The City of San Diego, and the Council now finds that the sign constructed within the building set-back line should now be removed in accordance with the agreements, for reason that plans are now being made to widen Pacific Highway. It directs the City Attorney to mail to Carlton Casebolt certified copy of the resolution.

RESOLUTION 138501, notifying Paul Mirabile, owner of Lots 2 and 3 Block 245 Middletown, to remove sign erected between front property line and building set-back line at his own expense, and at no cost or obligation on the part of the City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The resolution refers to Paul Mirabile as being owner of the property. It tells of Ordinance 401 New Series which established building set-back line of  $22\frac{1}{2}$  feet from the property line abutting on Pacific Highway. It says that M. H. Golden and L. A. Barcom and H. V. Clark executed on April 29, 1947 agreement, recorded in Book 954 page 11 of official records, that owner of property at time of execution, in consideration of permission to erect a neon sign without observing required set-back agreed that if and when the street is widened, to remove the sign without expense to the City. It says that the Council now finds that the sign constructed within the building set-back line should now be removed for reason that plans are now being made to widen Pacific Highway. It directs the City Attorney to mail to Paul Mirabile certified copy of the resolution.

RESOLUTION 138502, 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 Lots 16 and 17 Block 30 City Heights, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.  
(Property consists of tax-deed lands).

RESOLUTION 138503, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 32 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 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 138504, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against easterly 65 feet Lot 28 Block 7 Florence Heights Addition, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes 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.

3/25/57

RESOLUTION 138505, 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 108, 109, 110, 111, 112 and 113 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 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 138506, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that taxes against portions Lot 20 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 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 138507, authorizing and directing City Auditor and Comptroller to transfer within the Water Department Fund, following amounts from Account 530 Unallocated Reserves:

\$18,000 to Account 166-66-5 "Replace Substandard Mains",  
Fund 502; and

\$134,000 to Account 1666-66-8 "Supply Mains, Additions and  
Replacements" Fund 502,

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

RESOLUTION 138508, authorizing City Attorney to accept \$38.21 on behalf of The City of San Diego in full settlement of claim of City against R. E. Hazard Construction Company, P.O. Box 3217 San Diego 3, for damage to water meters at 1205 Colusa and 5757 Lauretta, as invoiced October 11, 1956, invoice No. W07625, in amount of \$76.42, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 138509, vacating easement for right of way for drainage purposes in portion of Pueblo Lot 1781 - dedicated by Resolution 53715 recorded May 12, 1930 in Book 98 page 137 of Miscellaneous Records of San Diego County Recorder's Office, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Resolution says that since acquisition, easement has not been used, nor has easement been used for purpose for which acquired for 5 consecutive years next preceding proposed vacation, and easement is unnecessary for present or prospective public use.

RESOLUTION 138510, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, quitclaim deed quitclaiming to Peter Sampo and Margaret Sampo, easement interests in Pueblo Lot 265 described in Document 550265; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions to complete transaction, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Resolution says that The City is desirous of acquiring land in Pueblo Lot 265 for drainage purposes in connection with development

of Tecolote Creek drainage channel and in Gardena Street; owners are willing to deed land to the City in exchange for quitclaim deed from the City quitclaiming certain City-owned land in Pueblo Lot 265; \$200.00 is the value of each parcel; City Manager has recommended the exchange.

RESOLUTION 138511, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, a quitclaim deed quitclaiming to Mesa Hills, a California Corporation, all its right, title and interest in a general easement dedicated by Map 3543 of Mesa Hills Unit 1, November 7, 1956, Document 550266; 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 Schneider, seconded by Councilman Curran, adopted.

Resolution says that The City is desirous of acquiring a general easement, owners are willing to deed land to the City in exchange for quitclaim from the City, to portion of said Unit; value of each parcel is \$100.00; City Manager has recommended the exchange.

RESOLUTION 138512, accepting deed of Mesa Hills, February 25, 1957, conveying easement and right of way for sewer, water, drainage and public utilities purposes, in portion Lots 7 and 88 Mesa Hills Unit 1; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138513, accepting deed of Mesa Hills, February 25, 1957, conveying easement and right of way for sewer purposes in portion Lots 71, 72, 87 and 88 Mesa Hills Unit 1; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138514, accepting deed of Peter Sampo and Margaret Sampo, March 1, 1957, conveying limited access in portion Pueblo Lot 265; naming Parcel 2 Tecolote 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138515, accepting deed of Sproco Mfg., Inc., February 12, 1957, conveying easement and right of way for sewer, water and drainage purposes in easement 6.00 feet in width for public utility purposes in portions Lots 36, 37, 38 Block 39 Paradise Hills 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138516, accepting deed of Westlands Investments, Inc., February 12, 1957, conveying easement and right of way for sewer, water, drainage and public utilities purposes in easement 6.00 feet in width for public utility purposes over portions of Lots 36, 37, 38 Block 39 Para-

3/25/57

dise Hills 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138517, accepting deed of W. E. Starke and C. G. Starke, also known as Cecilia G. Starke, March 14, 1957, conveying easement and right of way for street purposes in easterly 15 feet Lots 21 to 24 inclusive Block 15 Swan's Addition; naming easement Roseview Place; authorizing and directing City Clerk 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 138518, accepting deed of George Trekas and Billie Trekas, March 14, 1957, conveying easement and right of way for drainage purposes in portion Lot 15 Block 34 H. M. Higgins Addition; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

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

ORDINANCE 7400 (New Series), allowing the San Diego & Arizona Eastern Railway Company to construct, maintain and operate a spur track along and across Commercial Street adjacent to Blocks 104 and 107 Central Park Addition, between 30th and 32nd Streets; repealing Ordinance 7268 (New Series) adopted December 27, 1956, 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.

Ordinance amending Chapter X of San Diego Municipal Code, by amending Section 101.0204 thereof, and by adding thereto a new section to be known as and numbered Section 101.0204.1 Relating to Fees for Zoning, was introduced, by following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Williams.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:57 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

*Audley A. Williams*  
Vice Mayor of The City of San Diego, California

By

*August M. Hadstrom*  
Deputy

138517 - 138518  
7400 N.S.

Ord. introduced  
Meeting adjourned



## REGULAR MEETING

Chamber of the Board of Supervisors of San Diego  
County - in lieu of the City Council Chambers  
because of remodeling being done - Thursday, March  
28, 1957

Present--Councilmen Williams, Schneider, Kerrigan, Evenson, Mayor Dail.  
Absent--Councilmen Burgener, Curran  
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 127.

The Mayor welcomed to the meeting a group of students from  
the Lincoln High School, accompanied by G. E. Pierce, teacher.  
They stood, at his request.

The hour of 10:00 o'clock A.M. having arrived, time set for  
continued hearing on appeal of Columbus Club of San Diego on Planning  
Commission denial of application for Conditional Use Permit to construct  
and operate meeting hall at Gregory and Felton, the Mayor made a statement.  
He said that continuance was to permit members of the Council to look at  
the property, and that "the hearing has been closed".

Councilman Schneider stated that it would be necessary to  
have 5 votes of the Council to overrule Planning. He said that the only  
thing to do now would be to direct the drafting of an ordinance. He stated  
he was not in favor of the appellants receiving the conditional use permit.  
He asked that this be continued until a full Council would be present.

Mayor Dail said that would be "the fair thing to do".

Councilman Williams said, then, it would be simply a  
resolution (which is the case).

Councilman Williams moved to have the resolution prepared,  
and continue the item for a full Council. Councilman Evenson seconded by  
the motion.

Councilman Schneider said there would not be a final action,  
now.

Councilman Williams said he would prefer 2 motions.

The motion and second were withdrawn.

Councilman Kerrigan moved to direct preparation of the  
resolution for the conditional use permit. Motion was seconded by  
Councilman Evenson.

Motion and second were then withdrawn.

Councilman Williams said that if continued 1 week he would  
prefer 2 motions (1 for the permit; 1 for a full Council).

RESOLUTION 138519, continuing hearing on appeal of Columbus  
Club of San Diego from Planning Commission decision to 10:00 o'clock A.M.,  
April 4, 1957, was on motion of Councilman Kerrigan, seconded by Councilman  
Schneider, adopted.

(The hearing, which had been closed March 21, 1957 remained  
"closed").

Meeting convened  
Visitors welcomed  
Hearing (continued)  
138519

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on rezoning portion of Lot 67 Rancho Mission and portions of Lots 85 and 145 Del Cerro Unit 2 Subdivision, Lots 298 and 314 Del Cerro Unit 5 Subdivision, et al., from R-1 Zone to R-2, R-4, RC-1A and C-1A, report from the Planning Commission, by P. Q. Burton, was read to the Council by the Clerk. It goes into detail on the proposed zoning, reports conditions, hearing held, and views of property owners. It says that Planning Commission voted 5 to 2 to recommend that the zoning shown on Planning Commission drawing C-137.1 be approved. It says that the map changes lot originally proposed to be Zoned R-4 to R-2; rezoning to become effective only after filing final subdivision map on the property.

Mr. Priday said that he was here to answer questions, and spoke of being unique (apparently a shopping center) and one of the most beautiful in the United States.

Councilman Schneider spoke to Mr. Priday and said that if a market is not wanted, they would not want to put in a temporary one.

Mr. Priday said that it would not be a market, for sale, but a "village". He spoke of being "glad to duck out".

Richard Weiser, Asst. Planning Director, pointed to a map on what was referred to as a "temporary market".

Mr. Priday said that it is not in; it had been agreed to put it in, at the request of property owners.

Mr. Weiser laid down a map at which he, Councilmen and Mr. Priday looked.

Mr. Priday said that the gas station was in from the beginning, and shown in the brochures. He spoke of wanting to put in duplexes.

Mr. Weiser explained the protests.

Mr. Priday said "the gas station is to remain".

Mrs. Wm. C. Grace stated that the Del Cerro developers had represented to the people of Del Cerro as being an exclusive subdivision. She said if she had the idea of there being even 1 rental, she would not have bought. She said that she is not in favor of a gas station. Mrs. Grace told of having waited 3 hours at Planning hearing for the item to be reached, and of having been told (but did not say by whom) that this was "cut and dried" before the hearing. She said that she wants to protect her investment. Mrs. Grace told of having checked every Del Cerro ad, and of there having been nothing mentioned except that it was to be an exclusive subdivision. She said that it has been misrepresented. Mrs. Grace said that a gas station and apartments do not belong in the area, and neither do rentals. She spoke of people not being able to take time off from their jobs to come to this hearing.

Councilman Schneider spoke to Mrs. Grace about guest houses being approved throughout the City, with no kitchens. She said there could be 2 families on a lot under such basis; R-2 zone limits residence to 2 families.

Mrs. Grace said she "thought property owners decided these things". She said that with a buffer, the owners might well put in trees, and beautify the property. She said that next to the office there is a stone wall, which is supposed to be the buffer. She related developments. She said that "if there is need for a buffer, let them plant then".

Mr. Priday told of having brought down brochures (he did not say where they were brought down), and explaining them. He said that the wall was put in at FHA request. He said that lot costs average \$6,500.

Mrs. Grace said that her first lot was in Del Cerro Unit 1; in succeeding units lots have gone up (in price).

Norman Bell, 1516 Del Cerro said that when he bought last June, he was told by the agent that the area was for better 1-residence homes. He said that there had been no mention of apartments, and that duplex plans. He said that after he got in, it was the plan to rezone property to R-2 or R-4. He said that his objection was to R-4; Planning recommendation is for rezoning to R-2. He told of having joined in petition of home owners opposing duplex (which would be R-2). He said he bought in the belief that property would be for 1 residence (R-1). He said he wanted more information about a commercial center and gas station.

Councilman Schneider spoke to Mr. Priday about planting in the (proposed) R-2 area.

Mr. Priday said that if someone wants to buy the property and finance such planting, he would have no objections. He spoke of proposal being considered good planning.

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

There was another conference map, which was explained by Mr. Priday.

Councilman Schneider held a discussion with Mr. Weiser.

Mr. Priday said that it is 1 huge piece of ground, on a portion marked Lot 85. He said that there would be objection to living across from professional building.

Councilman Kerrigan and Councilman Williams held a discussion with Mr. Priday over a map which he explained.

Mayor Dail said to Mrs. Grade, when she came to the microphone, that the hearing had been closed; Mr. Priday was answering questions put to him by the Council.

Mrs. Grace said that Mr. Priday stated that a loan would not be granted. She then asked why he would not sell.

Councilman Kerrigan said that if the Council were to make any changes in Planning recommendation, it would take 5 votes. She said that the hearing should then be continued until a full Council is present.

RESOLUTION 138520, continuing until 10:00 o'clock A.M., Thursday, April 4, hearing on proposed Ordinance incorporating portions of Rancho Mission and Del Cerro Units 2 and 5 and Unit 6 into RC-1A, R-2 and C-1A Zones, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Nicholaus J. Haering, 2525 Jackson St., San Diego 10, who had a copy of a letter addressed to the President of the United States, asked that it be read at this time - for the benefit of the visiting children. At the request of the Mayor, the letter was read to the Council by the Clerk, out of order. Among several political issues, it speaks of a new party composed of capable statesmen preparing to lead millions of us back to an independent U.S.A. under the Constitution. It concludes "Accept their help. God Bless You".

At the conclusion of the reading, Mr. Haering said "thank you", and did not elaborate on the letter, or express any further views.

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on ordinance incorporating all of Allied Gardens Unit 11 Subdivision, all of Twain Heights Subdivision, Lots 2538 to 2549 inclusive in Allied Gardens Unit 12 subdivision and portions of Block 25 Grantville and out lots into R-1 zone, and repealing conflicting ordinance, the Clerk reported no protests.

The Mayor inquired if anyone was present to protest.

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

The Planning report said that ~~at-the-time~~ rezoning was initiated by the Planning Commission and proposes to change R-2 to R-1 of a strip of land approximately 2 blocks wide and 5 blocks long, containing about 48 acres, between Allied Gardens and Grantville. It describes adjoining zoning, and says that original subdividers of the vast majority of proposed rezoning have indicated either in writing or by telephone that they favor up-zoning because all homes built in the area are single-family dwellings, and that the Commission voted 7 to 0 to recommend the rezoning.

Ordinance incorporating all of Allied Gardens Unit 11 Subdivision, all of Twain Heights Subdivision, Lots 2538 to 2549 inclusive in Allied Gardens Unit 12 Subdivision and portions of Block 25 Grantville and Out Lots into R-1 zone, as defined by Section 101.0405 of The San Diego Municipal Code and repealing Ordinance 6488 (New Series) insofar as it conflicts, was introduced, on motion of Councilman Kerrigan, seconded by Councilman Schneider, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Burgener, Curran.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing for incorporating Reed's Ocean Front Addition, portion Block 11; Hollywood Park, portion Blocks 11 and 32, et al, in Pacific Beach, from R-1 Zone to R-2 Zone, report from Planning Commission was not read.

Louis Karp, attorney, asked if the hearing could be continued 1 week. He spoke of having an opinion from the City Attorney, and asked that the subject be referred back to Planning. He said he represented purchasers.

Councilman Kerrigan moved to refer to Planning and City Attorney. Motion was seconded by Councilman Schneider.

Wm. Hamilton, attorney, representing property owners, spoke of having appeared twice on this issue. He said property is made up of R-1 25-foot lots. He spoke of there having been discussion by developers on 25-foot lots. He said that the City Attorney's opinion is not a real issue. (The City Attorney's opinion was not presented).

Councilman Schneider withdrew his second.

Councilman Kerrigan said that if there is no action today, there is nothing to prohibit this being brought before Planning and Attorney.

The City Attorney said that "this is unusual"; the property was condemned by the Government during the war; streets were closed by Government action. He told Mr. Karp that he was willing to review the opinion that had been given by Mona Andreen, one of his deputies.

Councilman Kerrigan said that if this is "filed" owners are not losing their rights (recommendation of Planning was to deny).

Mayor Dail said that there would be a new application and hearing.

Councilman Schneider reinstated his second - and the hearing was continued 1 week, after the roll was called on

RESOLUTION 138521.

There was listed on the agenda the continued report from Purchasing Agent on low bids of Albert Dryer, Winfield Furniture Co., Walker Scott Company for furnishing 10 items of furnishings (chairs, coffee tables, dressing table stools, ash trays, draperies, etc), was presented.

RESOLUTION 138522 accepting bids for furnishing Furniture:

(a) Albert Dryer Furniture - Items 1, 3, 5, 6; total price \$703.95 terms net plus tax - Winfield Furniture Co. - Items 2, 4, 7, 8, 9 (under (b))- (c) Walker Scott Company Item 10; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contracts pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

There were 4 bids.

Report of Purchasing Agent on low bid of C. W. McGrath Construction Company for Improvement of portions of Ocean Beach Athletic Area (including grading, installation of drainage structures, storm drains, water mains, sewer main, water services, etc.) - \$77,467.86 - 7 bids; was presented.

RESOLUTION 138523, accepting bid of C. W. McGrath Construction Company for improvement of portions of Ocean Beach Athletic Area; awarding contract, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bid of Pace Construction Company for construction of Storm Drain in Lot 48 Fairhaven Acres and in N.W. 1/4 of N.E. 1/4 Section 33 - \$3,366.55; 4 bids - was presented.

RESOLUTION 138524, accepting bid of Pace Construction Company for construction of storm drain in Fairhaven Acres; etc.; 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 Acting City Manager, on low bid of Ernie Walters, Inc. for furnishing 3 Mercury 2-door Sedans for Police Department - 2 bids; was presented. It gives bid price of \$2,512.65 each and trade-ins; net price for the 3 Sedans of \$5,000.00 plus Sales Tax on selling price. It recommends the addition of power brakes @ \$38.00 per car.

RESOLUTION 138525, accepting bid of Ernie Walters, Inc. for furnishing 3 Mercury 2-door Sedans - less trade-ins - awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bid of The Standard Register Company for furnishing 200,000 Parking Citation Forms and 2000,000 Moving Citation Forms, for the Police Department - \$6.78 per M. & \$7.28 per M. net, respectively - 4 bids - was presented.

Councilman Schneider moved to adopt resolution of award. Motion was seconded by Councilman Williams.

Councilman Williams said that he had a question. He said he understood that there has been\*put out for collection of fines.

The Acting City Manager E. W. Blom said that "it is a function of the court".

Councilman Schneider said that it can't be done.

City Attorney DuPaul said that "it rests with the State; the court".

Councilman Kerrigan said that "Marty's" (check cashing establishment located downtown) is collecting, and filing.

Councilman Williams said that it could become a "gimmick" regarding collecting.

RESOLUTION 138526, accepting bid of The Standard Register Company for furnishing Citation Forms; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

#### \* Citations

RESOLUTION 138527, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other

3/28/57

expense necessary or incidental for construction of 2 Transit Sheds, 10th Avenue Marine Terminal; Document 550420; authorizing and directing Purchasing Agent to publish notice calling for bids, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 138528, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Railroad Track Material for 10th Avenue Marine Terminal Trackage, under Document 550371, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 138529, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for furnishing and installing water main extensions and replacements, Unit 204, Specification 186; Document 550321; authorizing and directing Purchasing Agent to publish notice calling for bids, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution approving tentative map of Mission Valley Ball Park, a 2-lot subdivision of Lots 3 and 4, portion of Lot 5 E. W. Morse's Subdivision and portions of Pueblo Lots 1105 and 1174, located on southerly side of Friar's Road, westerly of Ulric Street, subject to 11 conditions, and suspension of portion of San Diego Municipal Code, was presented.

The proposed subdivision map had been before the Council on February 28, 1957, at which time the Council requested the Planning Commission to modify the resolution presented, to provide for deletion of certain conditions (and it had been before the Council earlier, also).

On motion of Councilman Schneider, seconded by Councilman Evenson, it was continued 1 week - to the meeting of April 4, 1957.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Alta Mesa Villas, a resubdivision of Lot 8 Block 1 - into 2 lots located at northwest corner of Manchester Road and Saranac Street, within R-1 Zone, was presented.

Recommendation was subject to 3 conditions, and suspension of portion of the Municipal Code.

RESOLUTION 138530, approving tentative map of Alta Mesa Villas, resubdivision of Lot 8 Block 1; suspending portion of Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of Bennett Hill, a 3-lot subdivision of Lot 8 Weston Highlands, subject to 4 conditions, and suspension of portion of Municipal Code, was presented.

RESOLUTION 138531, approving tentative map of Bennett Hill, 3-lot subdivision of Lot 8 Weston Highlands; suspending portion of Municipal Code, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser,



approving tentative map for resubdivision of Lots 66 and 67 Collwood Terrace Unit 2, located on southerly side of Dorothy Drive west of Dorothy Way, within R-1 zone (new lot located on filled land) - subject to 4 conditions and suspension of portion Municipal Code, was presented.

RESOLUTION 138532, approving tentative map of Collwood Terrace Unit resubdivision of portion Lots 66 and 67; suspending portion of Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Cullen's Westland Terrace, a 2-lot subdivision, being lot split of Lot 1 Block 3, zoned R-2, located on southeast corner of Commonwealth Avenue and Juniper Street in South Park, subject to 1 condition and suspension of portion of Municipal Code, was presented.

RESOLUTION 138533, approving tentative map of Cullen's Westland Terrace resubdivision; suspending portion of Municipal Code, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map for resubdivision of northerly 100 feet Lots 86 and 87 Empire Addition to Encanto Heights, at southeasterly corner of Tooley Street and Republic Street (Empire Avenue), within R-2 zone, subject to 4 conditions, and suspension of portion of the Municipal Code, was presented.

RESOLUTION 138534, approving tentative map of Empire Addition, Encanto Heights, resubdivision; suspending portion of Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map for resubdivision of Lot 32 and portion Lots 30 and 31 Block 54 La Jolla Park, located at southeasterly corner of Girard Avenue and Prospect Street within S-C Zone, subject to 2 conditions and suspension of portion of Municipal Code, was presented. It says that purpose of subdivision is to allow for sale of sites corresponding to existing building on the property - store buildings are on the property, adjacent streets and alleys are fully improved.

RESOLUTION 138535, approving tentative map for resubdivision of property in La Jolla Park; suspending portion of Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map, Loma Valley 2-lot resubdivision Lot 3 Block 3 located between Bangor St. and Loma Valley Road at southerly end of Jennings Place, within R-1 zone; subject to 5 conditions, and suspension of portion of Municipal Code, was presented.

RESOLUTION 138536, approving tentative map of Loma Valley resubdivision; suspending portion of Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending tentative map for resubdivision of Lots 21 through 24 Block 72

Middletown, was presented. Property is at southwesterly corner of Neale and Keating Streets, within R-4 zone; proposal is to front lots on Keating Street, Neale Street, unimproved, being very steep. Approval is subject to 4 conditions, and suspension of portion of Municipal Code.

RESOLUTION 138537, approving tentative map of Middletown resubdivision; suspending portion Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map for 3-lot resubdivision of Lots 3 and 4 Ocean Vista Gardens, located in R-4, north of unimproved junction of Alpha and Beta Streets in Logan Heights, was presented. It says that 2 residences are being constructed on the proposed lots, based on original R-4 zoning. Approval is subject to 5 conditions, and suspension of portion of Municipal Code.

RESOLUTION 138538, approving tentative map of portion Ocean Vista Gardens resubdivision; suspending portion Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of 3-lot resubdivision of Lot 7 Block 164 and Lot 12 Block 165 and portion of Clove Street closed, at southwest corner of intersection of Clove Street and Udall Street, in Point Loma, was presented. It says that property owners adjacent to vacated portion of Clove Street have created an additional lot 60 feet by 75 feet by utilizing portion of the vacated street. Recommendation is subject to 4 conditions, and suspension of portion Municipal Code.

RESOLUTION 138539, approving tentative map for resubdivision of portion Roseville and street vacated; suspending portion Municipal Code, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, RECOMMENDING APPROVAL OF TENTATIVE MAP OF Super Subdivision, a 3-lot subdivision, being resubdivision of Lot 8 C. M. Doty's Addition, between Emelene and Lamont Streets, 100 feet north of Beryl Street in Pacific Beach, was presented. Recommendation is subject to 6 conditions, and suspension of portion of Municipal Code.

RESOLUTION 138540, approving tentative map of Super Subdivision; suspending portion of Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, recommending approval of final map of Homesites Unit 5 (por. of tentative map of North Knolls, known also as Homesites Unit 3, a 10-lot subdivision located in southeastern section of the city, fronting on Potomac Street, subject to posting of bond in amount sufficient to insure installation of required improvements, was presented. It says that tentative map was approved by Resolution 125813, amended by Resolution 129826, and reapproved by Resolution 132709.

RESOLUTION 138541, adopting Map of Homesites Unit 5 Subdivision, being portions of Lots 21, 24 to 29 inclusive, and 33 to 38 inclusive Block 10 Tres Lomas; accepting on behalf of the public, easements shown for sewer, water, drainage and public utilities, 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 the Council has approved the subdivision and that easements shown on the map are accepted

on behalf of the public; directing Clerk of the City to transmit map to Clerk of the Board of Supervisors of County of San Diego, California, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Glen Oaks Heights Unit 3, ~~recommending approval of final map of Glen Oaks~~ a 22-lot subdivision on a narrow ridge southerly of Glen Oaks Heights Unit 1, easterly of Pacific Highway on the extreme edge of Clairemont, subject to posting bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 138542, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Burgener-Tavares, a co-partnership and Glen Oaks Heights, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Glen Oaks Heights Unit 3; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 138543, adopting map of Glen Oaks Heights Unit 3, a subdivision of portion Pueblo Lots 1239 and 1777; accepting on behalf of the public Monongahela Street and easements shown for sewer, water, drainage and public utilities, dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that Council has approved the map and that street and easements are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from State of California, Division of Public Works, Division of Highways, dated March 20, 1957, by J. Dekema, District Engineer, was presented.

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

The communication invited the Council to attend the hearing and present any recommendations it may care to make with respect to the proposed location of freeway location from vicinity of Carlsbad, southerly to Miramar Road in the City of San Diego.

(The motion did not state what was to be contained in the resolution).

Application of Kay Cudd for Cabaret License at Kay's 4 Aces, 1111 Broadway, was presented together with recommendations for approval by City departments.

RESOLUTION 138544, granting permission to Kay Cudd to conduct cabaret with paid entertainment at Kay's 4 Aces, 1111 Broadway, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from San Diego Fire Fighters Association, Local 145, requesting salary increases, shorter work week, etc.

RESOLUTION 138545, referring to Salary Conference communication from San Diego Fire Fighters Association, Local Number 145, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

3/28/57

Communication from Anton F. Mishunas, 3594 Fifth Avenue, San Diego 3, dated March 21, 1957, complaining of faulty plumbing work performed by Frank E. Simpson Plumbing Company, 845 Turquoise Street, at the above address, was presented. It concludes, "I respectfully request that you look into this matter and determine if a change must be made in the work thus far performed and advise me regarding any change you deem necessary".

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

Communication from Howard A. Darr, 2227 Monroe Avenue, San Diego 18, dated March 21, 1957, was presented. It asks reconsideration of subdivision of Normal Heights, being resubdivision of portion Lot 5 Block 45 located at southeast corner of East Mountain View Drive and Adams Avenue. It protests 5-foot setback on East Mountain View Drive, on the property which "is a commercial zone".

Mr. Darr, owner of the property, came to the microphone. He said that the other 3 corners, in C Zone, are built to the property line. He said that it is not right or fair to him to make the setback requirements. Asked about development, Mr. Darr said that there is to be an office for himself on Adams, with a 2-story duplex on Mt. View.

Councilman Kerrigan said to Mr. Darr that residences should not be allowed in C Zone.

Mr. Darr said that a court is built onto City property; gas pump is on City property; others are to the line. He said that the property is dormant, not developed. He showed a sketch, which he explained. He spoke of the 10 feet from the front of the building to the property line. He said that only the office would touch. Answering a question, Mr. Darr said that there are 1,925 square feet in the property. He said that there are "many much smaller", and there were no protests.

Mr. —> Weiser, Asst. Planning Director, said that the Planning Commission felt curbs were set away from the property line; 0 ft. was recommended on Adams. He said that on East Mountain View, a minimum of 5-foot setback should be maintained.

Councilman Schneider held a discussion with Mr. Weiser, who said that the sidewalk is in the right of way. He said that there has not been a closing; the property is used primarily for residential purposes. Answering Mr. Schneider and Mr. Williams, he said that it is entirely C Zone. He said he does not know Planning Commission's feeling, if all built commercial.

Mr. Darr said that the residential portion would maintain 5 feet.

Councilman Kerrigan said that this is a business area changing to residential, because of no demand for commercial property. He held a discussion with Mr. Darr.

Councilman Schneider said that setback changes have been given in R-1 and R-4 zones.

City Attorney J. F. DuPaul said that the map would have to be drawn to show the change, if the Council so directs.

Councilman Schneider moved to return the item to Planning, to delete setback. Motion was seconded by Councilman Williams.

RESOLUTION 138546, amending tentative map for 2-lot resubdivision of Lot 5 Block 45 Normal Heights, approved by Resolution 138402 adopted March 21, 1957, by adopting "Q" setback line along East Mountain View Drive instead 5-foot setback originally approved on map on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Josephine W. (Mrs. Patrick) O'Connor, 4233 Fairmount Avenue, San Diego 5, dated March 23, 1957, stating that "while

3/28/57

I recognize and applaud the desire of San Diego to expand industrially, I believe it imperative that we preserve our city. This can be done by seeking desirable smog-free types of business. The oil refinery should be barred unconditionally".

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

Communication from San Diego Inter-Museum Council, Balboa Park, San Diego 1, dated March 21, 1957, stating that the group ordered an expression to the Mayor and Council its hearty approval of action taken to rehabilitate the Botanical Building in Balboa Park, was presented.

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

Communication from Shoreline Planning Association of California Incorporated, 506 Santa Monica Boulevard, Santa Monica, California, dated March 19, 1957, by Carr S. Pechtel, president, was presented. It contains a form letter sent to members relative to the number of bills presented relative to beaches and parks, etc., in this state. It refers to past work by the association, and asks the City to check to see if it would not have benefited for its operations.

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

Communication from Mrs. Vernon Smith, 6647 Preece Court, dated March 19, 1957, stating in opposition to Kearny Mesa as a site for municipal airport that "most of the people of Kearny Mesa that I have talked to hope that you will be able to find an airport site in a less congested area".

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

Communication from Harbor Commission, by John Bate, enclosing for approval of the Council, amendments to all scheduled airline users of Lindbergh Field, was presented. It says that amendments set up a new uniform rental rate and activity fee in accordance with mutual desires of the Commission and the airlines. It says that amendments also define right of the City in case of failure of any of users of the Field to satisfy terms and provisions of leases, and that effective date is 1 September 1956.

RESOLUTION 138547, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment 3, Document 550441, entered into between The City of San Diego, acting by and through Harbor Commission, as Lessor, and American Airlines, Inc., a Delaware Corporation, as Lessee, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138548, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment 1, Document 55042, entered into between The City of San Diego, acting by and through the Harbor Commission, as Lessor, and Pacific Southwest Airlines, Inc., as Lessee, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

3/28/57

RESOLUTION 138549, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment 1, Document 550443, entered into between The City of San Diego, acting by and through the Harbor Commission, as Lessor, and Western Air Lines, Inc., a Delaware corporation, Lessee, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138550, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment 2, Document 550444, entered into between The City of San Diego, acting by and through the Harbor Commission, as Lessor, and United Air Lines, Inc., a Delaware Corporation, Lessee, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Form communication from California State Controller, Robert C. Kirkwood, by Floyd Clouse, Chief, Division of Accounting, dated March 20, 1957, was presented. It lists estimate of apportionments to be made from Motor Vehicle License Fee Fund during 1957-58 Fiscal Year.

RESOLUTION 138551, referring to Council Conference communication from Controller of the State of California, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138552, acknowledging receipt of notice of intention and accompanying statement, together with affidavit of the publisher that notice of intention to circulate petition to alter boundaries of The City of San Diego by annexing territory described as Grantville-Rancho Mission Tract No. 2 and statement were regularly published in the San Diego Union on Sunday, March 24, 1957, which is a newspaper of general circulation published in the County of San Diego, State of California; giving and consenting to proponents to circulate petition within area described in the notice, for securing signatures of qualified electors of the area for annexation to The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

There was listed on the agenda a resolution continued from the meeting of March 21, proposed resolution ratifying sale and removal of a residential structure from the entrance to the service yard of the San Diego Zoo in Balboa Park for \$10.00.

On motion of Councilman Williams, seconded by Councilman Evenson, the resolution was continued 1 week - to the meeting of April 4, 1957.

Communication from Harbor Department, by John Bate, requesting passage of resolution authorizing work to be done by appropriate City forces for construction of Gangplank, Pontoon and Float for Municipal Fishing Pier - \$2,900.00, was presented.

RESOLUTION 138553, authorizing and empowering Port Director to do all work in connection with construction of gangplank, etc., by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.



RESOLUTION 138554, determining and declaring that public interest, convenience and necessity of The City of San Diego require construction, operation and maintenance of public works service yard and appurtenances thereto, and public roads and streets, upon portions of Lot 1 of Partition of Pueblo Lot 1209; and portion of Lot 1 in Block 8; all Lots 1, 2, 3, 4, 5 6 and portion 7 Block 9; all Lots 1, 2, 3, 4, and portion Lot 5 Block 10; all Lots 1 and 2, portion Lot 3, Block 11; all Lots 1 and 2 Block 12; all in Homeland Villas; and that public interest, convenience and necessity demand acquisition of fee title to said properties to be used by the City for construction of Public Works Service Yard and appurtenances thereto, and Public Roads and Streets; declaring intention of The City of San Diego to acquire said properties 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 The County of San Diego, for condemning the said properties, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138555, authorizing and empowering City Manager to do all work in connection with installation of sprinkler system in Masonic Section of Mt. Hope Cemetery, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138556, authorizing City Manager to employ Griffith Company to do paving and otherwise improving of Bond Street, Figueroa Boulevard, Magnolia Avenue., et al., in connection with 1911 Street Improvement Act; cost not to exceed \$415.98, payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138557, authorizing City Manager to employ John B. Henry, Inc. to do paving and otherwise improving in San Luis Obispo Place, Alley Block 119, et al., Mission Beach, in connection with 1911 Street Improvement Act; cost not to exceed \$88.64, payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138558, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with Carlos Tavares and Louis C. Burgener, and Tavares Construction Company, Inc., a corporation, providing for construction of portion of Genesee Avenue, and purchase of right of way and improvements by the City from such parties, under Document 550483, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138559, authorizing and empowering City Manager to execute, for and on behalf of the City, contract modification for U.S. Navy Special Contract No. N 123 (244) 106524A covering water service for Navy vessels and barges, dated October 1, 1956, under terms and conditions of form of contract modification, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138560, authorizing and empowering City Manager,

to enter into agreement with Baylor Brooks, of San Diego, for professional services as consulting geologist, to examine and report on proposed construction of Second Aqueduct and development of future water system of Second Aqueduct and development of future water system for The City of San Diego, particularly with reference to construction of major storage adjacent to proposed route of Second Aqueduct and necessity of a new dam in connection therewith; Brooks to be paid in full compensation \$100.00 per day, together with necessary traveling and subsistence expenses, at total cost to the City not to exceed \$2,000.00, under Document 550487, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138561, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, Amendment to Lease Agreement with Daley Corporation, affecting leasing of Lot 35 of Partition of Rancho Mission of San Diego, under Document 550495, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138562, approving Change Order 1, March 20, 1957, Document 550353, issued in connection with contract between The City of San Diego and V. R. Dennis Construction Company for improvement of Belmont Park; changes amounting to increase in contract price of approximately \$998.80, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138563, co-sponsoring with the Community Welfare Council of San Diego a conference for and about Senior Citizens, to be held in Balboa Park, April 30 and May 1, 1957, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138564, granting, on recommendation of City Manager, permission to Kay-Lab Corp. to erect and maintain a tent at 5725 Kearny Villa Road, San Diego, for 15 days from and after passage of the resolution; subject to inspection and approval of Building Inspection and Fire Departments of the City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138565, setting aside \$17,600.00 or so much thereof as may be necessary from funds appropriated by Ordinance 7260 (New Series) adopted December 20, 1956, for payment of filing fee and deposit for immediate possession in condemnation case entitled "City v. Robert E. Hill, et al", was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138566, authorizing expenditure of \$94.00 from funds appropriated by Ordinance 7260 (New Series) for payment to Mrs. Anna M. Shelton for cost of moving fence affecting street easement in Lot 120 Highdale Addition to Encanto Heights, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138567, authorizing Harry Silke, Industrial

3/28/57

Development Coordinator, to attend annual convention of American Industrial Development Council to be held in Chicago, Illinois, March 31 through April 3, 1957, and incur all necessary expenses, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138568, authorizing City Attorney to accept \$75.00 on behalf of The City of San Diego, in full settlement of claim of City against Martha Wade Estey and Wilder Estey, 4272 Van Dyke Place, San Diego, for damage to police motorcycle #584 on Taylor Street, at Chestnut Street, as invoiced January 16, 1956, Invoice 41526 in amount of \$125.00, Municipal Court Case 38188, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138569, approving claim of Joe F. Kresser, Document 549770 in amount of \$7.50; authorizing City Auditor & Comptroller to draw warrant in favor of Joe F. Kresser, 2535 "C" San Diego 2, in full payment of the claim, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138570, authorizing City Attorney to settle the \$12,500.00 suit of Paul Joseph Lajiness vs. Clifford T. Odom, Superior Court Clerk's Office 203228, for \$750.00; directing City Auditor and Comptroller to draw warrant in favor of Paul Joseph Lajiness, c/o David W. Hardin, attorney at law, 530 San Diego Trust & Savings Building, San Diego 1, in full settlement of the suit, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138571, denying claim of Robert Richard Bruce, 519 Tyrone Street, San Diego 19, California, Document 549800, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION 138572, denying claim of C. Leon de Aryan, P.O. Box 5349, San Diego 5, Document 549733, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION 138573, declaring Mrs. C. T. Geiger to be the highest bidder at public auction held March 19, 1957, for selling northeasterly 1/2 Lots 1 to 5 inclusive, and Lots 17 and 18 Block 79 Middletown Addition - \$2,160.00, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted. The resolution sets out the bidders, and the bids, and the fact that the Council had fixed the minimum price of \$1,000. for the sale. It authorizes and empowers the Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, quitclaim deed to Charles T. Geiger and Adel Geiger, 2260 Fort Stockton Drive; it authorizes and empowers City Auditor and Comptroller to refund to Anderson Offutt \$150.00 deposited prior to auction sale. The Resolution authorizes and directs City Clerk to deliver deed to Property Supervisor with instructions to complete transaction; all expenses in connection with the sale to be deducted from proceeds.

3/28/57

The next ordinance was introduced , on motion of Councilman Williams, seconded by Councilman Schneider.

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

ORDINANCE 7401 (New Series), appropriating \$85,000.00 out of Capital Outlay Fund, for improving portions of Ocean Beach Athletic Area in Mission Bay Project, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Burgener, Curran.

The next ordinance was introduced, on motion of Councilman Schneider, seconded by Councilman Kerrigan.

On motion of Councilman Schneider, 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 final passage written or printed copy.

ORDINANCE 7402 (New Series), appropriating \$115,200.00 out of Capital Outlay Fund, for payment of City's contribution toward costs of improving Genesee Avenue Extension in East Clairemont, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Burgener, Curran.

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

Ordinance setting aside and dedicating portion of Lots 36, 37, 38 Block "A" Boulevard Heights, as and for public street, and naming it Morena Boulevard (Parcel 1), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced, by the following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Burgener, Curran.

Mayor Dail asked the Council if it wanted to recess, because of the rezoning, or adjourn.

Councilman Kerrigan said that "there are not enough people to decide".

At 11:16 o'clock A.M. the Mayor declared a recess until 11:45 o'clock A.M. this date.

Vice Mayor Williams appeared, and declared the meeting adjourned for lack of a quorum (he was the only member of the Council to return) - at 12:15 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk Vice Mayor of The City of San Diego, California

By August M. Hadstrom  
Deputy

7401 N.S. - 7402 N.S.

Ords. intr.

Meeting recess - reconveyed - adjourned

## REGULAR MEETING

Chamber of the Board of Supervisors of the County  
of San Diego - in lieu of the Council Meeting in  
the City Council's chambers, being remodeled.  
Monday, April 1, 1957

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

Vice Mayor D. D. Williams, who presided in the absence of  
the Mayor, called the meeting to order at 10:04 o'clock A.M.

Elder E. Irvin Leihman, pastor of the North Park Seventh  
Day Adventist Church, was introduced by the Vice Mayor. Elder Leihman  
gave the invocation.

Ordinances and Resolutions for this meeting are recorded on  
Microfilm Roll 127.

Minutes for the regular Council Meetings of Monday, March 25,  
1957, and of Thursday, March 28, 1957, were filed without reading. They  
were signed by the Vice Mayor.

The Vice Mayor welcomed Point Loma High School students,  
from the ASB Council and from the 12th Grade citizenship class. They were  
accompanied by James D. Clark, principal.

At the request of the Vice Mayor they stood for Council  
recognition.

The Purchasing Agent reported in writing on 6 bids opened  
March 29, 1957, for improvement under 1911 Act proceedings; Alley Blk 127 S.D.L.&T.  
Co.Add., et al. On motion of Councilman Kerrigan, seconded by Councilman  
Schneider, bids and report were referred to the City Manager and City  
Attorney for recommendation.

Purchasing Agent reported in writing on 6 bids opened March  
29, 1957, for improvement under 1911 Act proceedings; Alley Blk 21 Fairmount Add.  
On motion of Councilman Kerrigan, seconded by Councilman  
Schneider, bids and report were referred to the City Manager and City  
Attorney for recommendation.

The Purchasing Agent reported in writing on 7 bids opened  
March 29, 1957, for improvement under 1911 Act proceedings; Nutmeg, Maple  
Balsa and 54th Streets.

On motion of Councilman Kerrigan, seconded by Councilman  
Schneider, bids and report were referred to the City Manager and City  
Attorney for recommendation.

Meeting convened  
Invocation  
Visitors welcomed  
Minutes filed & signed  
Bid reports

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing electric energy in Talmadge Park Lighting District 3, for 1 year from and including March 1, 1957, the Clerk reported 1 bid.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, bid was publicly opened and declared. It was the bid of San Diego Gas & Electric Co., accompanied by certified check for \$93.48 written by San Diego Trust and Savings Bank.

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

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Assessment 2567 made to cover costs and expenses of paving and otherwise improving Morena Boulevard, Paul Jones Avenue, Ethan Allan Avenue, Princeton Avenue, Moultrie Avenue, Trenton Avenue, et al., Councilman Burgener made a statement. He said that the continuance was for the purpose of the Council looking at the property. He said that he went out Saturday and Sunday. He asked how many were present on this item. Many hands were raised. Mr. Burgener said that the contractor is here. He said that the trouble started when the subdivision began, because of no attention being given to the contour. He said that the City is going to have to take time out to "rattle out" this question. He stated that the job was well done, but that many people have been damaged. Mr. Burgener spoke of wanting a meeting - but not as a part of this hearing. He asked if there was any objection to that. He declared that this is "a very complicated matter".

The Vice Mayor asked about any particular thing to be accomplished.

Councilman Burgener said that there is a matter of explanation to be made to the property owners. He agreed that a delay is not good for the contractor, so that a Thursday action would be the best. He said that the other alternative would be an hour or 2 now.

Kenneth Mark, representing the contractor, said that he would "prefer to have it settled today".

Councilman Schneider moved to hold the hearing until Thursday for action.

Mr. Mark repeated that it was preferred that it be now. He said that the contractor has done everything. He said that other side issues are not part of this.

Councilman Schneider said that this has to be ironed out the best the City can - at least explain it to the property owners.

Councilman Kerrigan pointed out that "the assessment has to be fair and equitable.

RESOLUTION 138574, continuing until 10:00 o'clock A.M., Thursday, April 4, 1957, hearing on Assessment 2567 made to cover cost and expenses of installation of sewers in Morena Boulevard, Paul Jones Avenue, Ethan Allen Avenue, Princeton Avenue, Moultrie Avenue, Trenton Avenue, Ticonderoga, et al., was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Councilman Burgener announced to persons interested in this subject, that a meeting would be held at 12:30 o'clock P.M., this date.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2571 made to cover costs of grading and sidewalking Hughes Street, with Boren Street, Gayle Street, Nelson Street, Kerch Street and Rock Street, the Clerk reported appeal (typewritten signature) of Charles J. Gray.

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

RESOLUTION 138575, overruling and denying appeal of Charles



J. Gray from Street Superintendent's Assessment 2571 made to cover costs and expenses of installing sidewalks on Hughes Street, Boren Street, Gayle Street, Rock Street, Nelson Street and Kerch Street, Resolution of Intention 133524; overruling and denying all other appeals; confirming and approving Assessment 2571, 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 Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2572 made to cover cost and expenses of paving and otherwise improving Myrtle Avenue, 46th Street, Thorn Street, Menlo Avenue, Redwood Street, and rights of way in Bungalow Park, the Clerk reported written appeals from K. G. Sprague, Leo and LaJoyce C. Redman, Buel C. Ambler, Olive M. and Mae B. Callahan.

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

Mrs. Russell Hubbell asked why she was assessed the particular amount. She declared that her property was "taxed without representation". She said that she was interested in the Myrtle paving. Then she asked "why"?

The City Engineer answered that it was an area assessment.

Mrs. Hubbell said that she was representing others, and looked at a plat shown by the Engineer. The State law on the assessment was explained to her by the Engineer. She told of having protested the Chamoune paving. She said that if she were to spend \$100., she would like to see Chamoune done over.

Mrs. Sofjea Golba, on Chamoune, said that the alley was not paved; she does not know why she was assessed.

The City Engineer said that the property was not charged for improvement of 46th, only the share on Myrtle.

Councilman Burgener explained it to Mrs. Golba.

Councilman Schneider spoke to Mrs. Hubbell about cost on a new job, and pointed out that the City awards the contract to the low bidder. There was discussion between them. He said that the State law of 1911 sets up the procedure. He talked about notice received by the property owner, re effect on walls, trees, shrubbery, etc.

The City Engineer said that notice is mailed to everybody assessed (along with other prescribed notices), and that they were mailed at the request of the Council, because of trouble experienced.

Councilman Schneider said to Mrs. Hubbell that the notice had been mailed, too.

Mrs. Hubbell said she "had no defense".

Councilman Schneider gave Mrs. Hubbell details in addition to previous discussions.

Councilman Burgener pointed out to Mrs. Hubbell that "the job was petitioned for by people in the district; it was not initiated by the Council. He said that is done uniformly throughout the City.

Mrs. Hubbell expressed dissatisfaction.

Councilman Burgener moved to overrule protests. Motion was seconded by Councilman Kerrigan.

K. G. Sprague said that he had been charged more than people who are closer to the intersection.

Mr. Olson said that he had a sewer lateral. Councilman Burgener, looking at a map, said there was none on Lot 3 to the north.

Mr. Olson said that there was no sewer connection on Lot 29, answering further comments of Mr. Sprague's.

Mr. Sprague said that property nearer the intersection is not cheaper.

Councilman Burgener and Mr. Olson explained details from a map. The City Engineer said that "all were charged at the same rate". Mr. Olson pointed out improvements, on which he explained the

assessments. He went through individual assessments, for the benefit of Mr. Sprague, in detail.

Mr. Sprague said that where the lateral was put in, the pavement has caved in.

RESOLUTION 138576, overruling and denying appeals of K. G. Sprague, Leo Redman and LaJoyce C. Redman, property owners, Olive M. Callahan and Mae B. Callahan, Sofjea Golba, from Street Superintendent's Assessment 2572 made to cover costs and expenses of 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, Lots 7 and 8 Block 11 Bungalow Park Addition, Resolution of Intention 131055; overruling and denying all other appeals; confirming and approving Street Superintendent's 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 Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on verbal request of John D. Butler, attorney, in the matter of use of Bituminous Fibre Pipe in Plumbing Installations for sewer laterals, Mr. Butler appeared. Mr. Butler passed up to members of the Council some pieces of pipe. He said that hearing was on the proposed ordinance, in connection with the plumbing code. He said there are several manufacturers. He referred to "table A" in the plumbing code. He said that the code should be amended regarding the joint. He stated that he represented the Bituminized Pipe Institute, and told of having appeared before the Board of Appeals, which said that it would let the Council decide. He told of not wanting to delay the plumbing code (which the Council adopted). He said that this hearing is on the amendment to the code, rather than the code. He identified manufacturers. He said that they have operated for years: over \$300,000,000 per year; 75,000,000 feet installed per year. He said that amendment is for a limited purpose: house sewer lateral - about 75 feet. He read a Mr. Rapp's report" regarding temperature. He said there is no contention regarding being equal of cast iron pipe for all purposes. He spoke of job being done. He identified Mr. Rapp as a research engineer for Los Angeles Department of Inspection and Materials. He told of the product having been approved by the Los Angeles Council, in 1955, on his report.

The Clerk then read a letter from G. E. Morris, Superintendent of Building; V. Rapp, Research Engineer, Department of Building and Safety, City of Los Angeles. It was addressed to Mr. O. W. Campbell, City Manager, City of San Diego, dated March 28, 1957. The Clerk returned it to the Manager.

Mr. Butler then stated that the County of San Diego had given its approval.

A copy of the letter from Mr. Rapp to Mr. Campbell was given to the Clerk.

Mr. Butler spoke of there being experience in San Diego County. He said that its use gives to homers a break on construction cost. He read comparisons of costs furnished by a pipe company. He said there would be saving on installation, and there would be a saving of \$150 to \$175 cost to the average home owner. He said that is an important consideration. He told of laboratory tests, and stated that a Newark plant manufacturer is here. He said that the pipe is approved by FHA, Veterans' Administration, and many cities of California. He said that all Southern California Counties have authorized its use; as have the Army engineers, Coast guard, and the National Plumbing Code.

Charles Debuque, of Orangewood, was introduced by Mr. Butler. He told of weekly tests having been made; crushing test is used, and stress strain. He told of 3-edge test. He said that the Rapp report showed the stresses. He made a technical report on stresses. He told of installation on rail siding in the east. He said that there were engines of 200 tons; that pipe flexed with the ground on fill; the same amount

of water flowed through the pipe. He continued giving details on tests, and told of successful results. He said that at the end of 3 years, pipe was immersed, and took on about 15%, which dried out quickly. Several tests have been made, according to Mr. Debuque. There have been field-tested installed pipe - in the field installation, he said. He gave details of water through pipe, and absorption. He said that chemical tests had good results, and that laboratory tests are severe.

Councilman Schneider spoke to Mr. Debuque about adobe in this area.

Mr. Debuque said that the term "wet clay" had been used. He said there are specifications for back-filling, for most pipe. He said that in most cases, some of the material is put back.

Mr. Butler said that this has been a very highly competitive field. He said that tests refute the clay pipe and cast iron people. He said, again, that "it is competitive". Mr. Butler told the Council that the material can do the job, and told of new manufacture. He said that there is local endorsement: Kitzman, Hanson in Pacific Beach, and assumes that many other local plumbers are in favor. He said that H. J. Robertson, Russell Strongquist, and Mr. Dean are all here, if the Council wants to hear them. He requested introduction of the "pending ordinance".

The Vice Mayor thanked Mr. Butler, and said that the City Manager will submit a report on the subject in conference. He spoke of there being need for discussion in conference. He asked if anyone was present, in opposition.

Councilman Schneider moved to refer the subject to conference. Councilman Evenson seconded the motion.

Councilman Burgener said that the Council should act in a week - if possible.

Vice Mayor Williams said that if there is opposition, it is not present.

Mr. Butler told of having withdrawn opposition to the Plumbing Code for this hearing today. He spoke, too, of continuance for 1 week - for introduction of the ordinance "which has been prepared by the Attorney at the direction of the Council. He said that Los Angeles gives 1, 3, 5-year approvals; at the end of 10 years if there is no failure it gives automatic approval.

RESOLUTION 138577, continuing the matter of use of Bituminous Fibre Pipe in Plumbing Installations for sewer laterals, until the hour of 10:00 o'clock A.M., Thursday, April 4, 1957, and referring the subject to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Dave Martin Masonry Supplies for furnishing Vitrified Clay Pipe for Sewage Treatment Plant main repairs - \$1,309.75 terms 2% 10th prox. plus tax; 2 bids - was presented.

RESOLUTION 138596, accepting bid of Dave Martin Masonry Supplies for furnishing 7 items of vitrified Clay Pipe; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138578, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Trailer-Truck Service for Sewage Treatment Plant, for 1 year beginning July 1, 1957, under Document 550522, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138579, authorizing and directing Purchasing Agent to advertise jointly with The San Diego Unified School District for sealed proposals or bids for furnishing Plumbing Supplies for 1 year (5/1/57 - 4/30/58), Document 550523, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, approved by City Manager, recommending purchase from Construction Machinery Company of 32 items of Repair Parts for Allis-Chalmers HD-20 Tractor, without advertising for bids - \$5,207.94 terms 2% 10th prox. plus Tax (this is the sole local distributor of parts for the Tractor) - was presented.

RESOLUTION 138580, authorizing and directing Purchasing Agent to purchase Repair Parts for Allis-Chalmers Model HD-20 Tractor, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 138581, authorizing and directing Purchasing Agent to advertise for sale and sell 1 10-ton low bed machinery trailer, etc.; 4 Sedans - no longer desirable for use or retention by the City, which City Manager recommends be sold - all costs in connection with the sale to be deducted from proceeds from the sale, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Convair Warehouse, portion Pueblo Lot 1778 & 1787 - a 1-lot subdivision, in Rose Canyon, located on the easterly side of the AT&SF Railroad right-of-way adjacent to and east of the Union Brick Company - subject to 12 conditions, and suspension of portion of the Municipal Code, was presented. It says that access to the property is proposed over extension of Morena Boulevard northerly of Balboa Avenue, on a proposed 102 foot wide alignment for a distance of approximately 1 mile. It gives further details, and says "it was noted by the Planning Commission that the present plans of the builder do not contemplate the painting of this large structure nor is there contemplation of shielding of the security lights from view from the surrounding hills. The Planning Commission would wish to advise the Council that it feels that such large unsightly galvanized metal structures may well result in complaints of reflection and glare from the surrounding property owners as well as complaints involving the intensity and direction of the lights emanating from the site".

RESOLUTION 138582, approving tentative map of Rose Canyon Warehouse, 1-lot subdivision; suspending portion of the Municipal Code, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Lise Terrace, subject to posting of bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 138583, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Dass Construction Co. of San Diego, a corporation, Glen Oaks Heights, Inc. a corporation, and Morrie Klaus and Kay Klaus for installation and completion of unfinished improvements and setting of monuments required for Lise Terrace Subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 138584, adopting Map of Lise Terrace Subdivision

4/1/57

being a subdivision of portions of Lots 38 and 39 Ex-Mission Lands of San Diego (commonly known as Horton's Purchase); accepting on behalf of the public, Maxim Street, Borner Street, 45th Street, Emanor Place and K Street, and easements shown for sewer, water, drainage and public utilities, together with any and all abutters' rights of access in and to portion designated "Reserved for Future Street", lying within Lots 28, 29, 30, 31; dedication for public street of portion designated "Reserved for Future Street" is rejected; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that the Council has approved the subdivision map, and that public streets and easements shown on the map, together with any and all abutters' rights of access in and to portion designated "Reserved for Future Street", are accepted on behalf of the public; and that the Council rejects as a dedication for a public street the portions shown as "Reserved for Future Street"; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending record of survey 2-lot resubdivision of Lots 28 & 24 Block 26 Ocean Beach, at Froude Street and Santa Monica Avenue, in Ocean Beach, was presented.

RESOLUTION 138585, approving filing of Record of Survey Map in lieu of Final Subdivision Map in Lots 23 and 24 Block 26 Ocean Beach, in lieu of a final subdivision map, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending record of survey 2-lot resubdivision of Lots 47 and 48 Block 24 City Heights, at Haller and Maple Streets, just west of Wabash Boulevard, was presented.

RESOLUTION 138586, approving filing of Record of Survey Map in lieu of Final Subdivision Map in Lots 47 and 48 Block 24 Amended Map of City Heights, in lieu of a final subdivision map, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending record of survey 2-lot resubdivision of Lots 25 and 26 Block 10 San Diego Land & Town Company's South Chollas Addition, at 36th and Z Streets, was presented.

RESOLUTION 138587, approving filing of Record of Survey Map in lieu of Final Subdivision Map in portions of Lots 25 and 26 Block 10 San Diego Land and Town Company's South Chollas Addition, in lieu of a final subdivision map, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Application of Garland Hunter for Class "A" Dine & Dance License and Cabaret License at Skipper's Twin Palms, 6737 La Jolla Boulevard, La Jolla, on premises where intoxicating liquor is sold, subject to regulations, and for a cabaret - was presented together with recommendations from City departments for approval.

RESOLUTION 138588, granting application of Garland Hunter for Class "A" license to conduct public dance at Skipper's Twin Palms, 6737 La Jolla Boulevard, subject to compliance with existing ordinances and regulations; granting permission to conduct cabaret with paid entertainment at same address,

4/1/57

subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Councilman Kerrigan requested, and was granted, unanimous consent to present the 7 subdivision maps (Industrial subdivisions), which been referred to Council Conference on March 21, 1957. He said that the industrial subdivisions are important, there had been a committee appointed which had met "and saved money".

The Vice Mayor asked if this subject would develop into a hearing. He said that "others should come in order" (as listed on the agenda for this meeting).

Glenn A. Rick said that "George Hatch does not concur". He spoke of Balboa Avenue 90 feet overall, and that Councilman Kerrigan understands 100 feet. He said that Mr. Hatch is not willing to go ahead.

Councilman Kerrigan talked about a right of way, and said that if added together on Balboa Avenue, it would be 50 feet on each side of the street; the same as parallel to the freeway - the same, except with no sidewalk.

Councilman Schneider said that "if this is thrown back into discussion, it will never get completed". He told of compromises having been made.

Mr. Hatch said that he does not want to delay this.

Mr. Rick said that the street width could be left at 100 feet, but could go into that later. He showed on a map. He said that he wants to discuss this, and that there is not 100% agreement.

Councilman Kerrigan said that "there are 7 tentative maps before the Council".

Councilman Kerrigan moved to "adopt all 7 resolutions, as revised by the Committee". Motion was seconded by Councilman Schneider.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Fries Industrial Tract, a 5-lot subdivision of portion Lot 13 New Riverside, located on westerly of Kearny Mesa Drive, southerly of Othello Street and westerly of Montgomery Airport, subject to 13 conditions and suspension of portion of the Municipal Code, was presented.

RESOLUTION 138589, approving tentative map of Fries Industrial Tract; suspending portion of the Municipal Code, was on motion of Councilman Schneider, adopted. Kerrigan, seconded by Councilman

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Hatch-Mathews Industrial Tract, Lots 34 & 47 The Highlands and portion Lot 31 New Riverside, located on Kearny Mesa Drive northerly from Othello Street, subject to 13 conditions and suspension of portion of the Municipal Code, was presented.

RESOLUTION 138590, approving tentative map of Hatch-Mathews Industrial Tract; suspending portion of the Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Cole Industrial Tract, portions of Lots 32 & 33 The Highlands, located easterly of Kearny Mesa Drive at its intersection with Mercury Street, northerly of Othello Street, subject to 13 conditions and suspension of portion of the Municipal Code, was presented.

RESOLUTION 138591, approving tentative map of Cole Industrial Tract; suspending portion of the Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser,



4/1/57

recommending approval of tentative map of Cole Industrial Tract 2, Lots 35 & 46 The Highlands, located on westerly side of Mercury Street, northerly from Kearny Mesa Drive, subject to 13 conditions and suspension of portion of the Municipal Code, was presented.

RESOLUTION 138592, approving tentative map of Cole Industrial Tract 2; suspending portion of the Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Gibbs-Harbaugh Industrial Tract, portions of Lots 11 & 12 New Riverside, located on westerly side of Kearny Mesa Drive, southerly from Othello Street, subject to 13 conditions and suspension of portion of the Municipal Code, was presented.

RESOLUTION 138593, approving tentative map of Gibbs-Harbaugh Industrial Tract; suspending portion of the Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Gibbs-Harbaugh Industrial Tract Unit 2, portion of Lot 48 The Highlands, located on easterly side of Ruffner Street, north from Othello Street, subject to 13 conditions and suspension of portion of the Municipal Code, was presented.

RESOLUTION 138594, approving tentative map of Gibbs-Harbaugh Industrial Tract Unit 2; suspending portion of the Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Richard L. Weiser, recommending approval of tentative map of Andrews-Wood Industrial Tract, west half of Lot 2 New Riverside, located on southerly side of Othello Street, subject to 13 conditions and suspension of portion of the Municipal Code, was presented.

RESOLUTION 138595, approving tentative map of Andrews-Wood Industrial Tract; suspending portion of the Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 138596 is shown on page 379 of this book of minutes.

There was listed on the agenda a continued resolution awarding contract for improvement of Bangor Street, and Public Rights of Way, on which an unscheduled hearing had been conducted March 25, 1957. At the first presentation to the Council details of a survey made by the City Engineer on the award, because of the bid, were shown.

Councilman Schneider said that "there is still a controversy". He said it is believed that since the low bid is so high, special action is needed. He said that none of the sewer charges are to be on the Bangor frontage. He conducted a discussion with persons in the audience.

Mrs. Heckman asked "why people on Bangor Street are not assessed beyond where it starts and stops". She spoke of being assessed 100 feet from Bangor; 60 feet from Golden Park Place.

Willard Olson, from the City Engineer's office, discussed the situation with Mrs. Heckman.

Councilman Schneider and Mrs. Heckman held a discussion.

Mr. Olson said "they paid on Bangor, and paid on Harbor View".

Councilman Burgener stated that Bangor Street people pay on their own street.

4/1/57

There was a conference over a map, looked at by Councilman Schneider, Mr. Olson, and Mrs. Heckman.

Mr. Wright, Lots 7, 8, 9 Block 16, said that this should be continued for investigation regarding the cost.

Councilman Burgener said that his (Mr. Wright's) new estimate is more.

Mr. Wright said that he could have 1 house, 1 sewer lateral. Councilman Schneider explained the usual charge to Mr. Wright.

Mr. Wright stated that he was "paying much more, area-wise". He, Mr. Olson looked at a map.

Councilman Schneider said that if this is thrown out, and goes to another bid, it may or may not be better.

Councilman Burgener pointed out that the City has to go along with the wishes of a majority.

Councilman Curran spoke to Mr. Wright about re-advertising.

Mr. Olson said that if the cost is higher, that won't help.

Bruce Richards said to the Council that he is an architect, and is building a house. He said that this is "a nasty job, and it was lucky to get anybody to bid". He spoke of the existence of a dangerous open flume. Mr. Richards said that cesspools are overflowing. He spoke of owners being willing to pave with brick at their own expense; if the Engineer did not approve, it would be plowed up. He said that this has "got to be solved, sooner or later". He stated that cost would not be lower on a new bid.

Councilman Schneider said that the City Engineer can change the assessment procedure - to Mr. Richards.

Councilman Burgener told Mr. Richards that the street can't be paved unless it meets City specifications.

Councilman Kerrigan was excused

Mr. Olson pointed out that "this is not a regular hearing".

Mr. Richards spoke of being assessed for portion when Bangor Street was paved.

Councilman Schneider spoke to unidentified members of the audience regarding assessment spread.

Gil Ku\_hn told of having once owned property, which has been re-sold. He said he "had to pay \$50. to have the cesspool unloaded". He said that it is a disgrace: there is no paving; there are cesspools. He stated that cesspools are bad, because of clay. He spoke of only wanting what is fair. He said the improvement would help property values.

Mrs. Young, owner of Lots 10 and 11 said that she wants to add to her house, and improvements.

Mr. Goldman said that if they live by the 1911 Act, they should go along with the extra cost. He asked on what basis cards were made up (the survey conducted by the City Engineer).

Mr. Olson replied on a 70/30 basis, except sewer, and said that Mr. Goldman would not pay for sewer.

Mr. Wright said that he approves.

Councilman Schneider moved to award the contract on a basis of 78-22 (assessment percentage). Motion was seconded by Councilman Burgener.

Councilman Burgener said that action (regarding 78-22 assessment percentage) should be placed in the file.

City Attorney J. F. DuPaul advised the Council not to make the assessment percentage a part of the file. (It was not).

RESOLUTION OF AWARD 138597, accepting bid of Kenneth H. Golden Co., Inc., a corporation, and awarding contract for paving and otherwise improving Bangor Street, and Public Rights of Way, Resolution of Intention 136514, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted. (Assessment percentages are not a part of the Resolution of Award).

RESOLUTION OF AWARD 138598, accepting bid of San Diego Gas & Electric Company, a corporation, and awarding contract, for furnishing electric energy in El Cajon Boulevard Lighting District 2, for 1 year from and including March 1, 1957, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD 138599, accepting bid of San Diego Gas & Electric Company, a corporation, and awarding contract, for furnishing electric energy in Talmadge Park Lighting District 2, for 1 year from and including March 1, 1957, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD 138600, accepting bid of San Diego Gas & Electric Company, a corporation, and awarding contract, for furnishing electric energy in University Avenue Lighting District 2, for 1 year from and including March 1, 1957, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 138601, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving, and establishing official grade of Birch Street; approving Plat 2915 showing exterior boundaries of district to be included in assessment for the work and improvement; directing City Clerk, upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 138602, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving, and establishing official grade of Silver Gate Avenue, Jennings Street, Wilcox Street, Gage Drive, and Public Rights of Way in Pueblo Lot 180 and Lots 3 and 4 Block 1 Loma Valley; approving Plat 2905 showing exterior boundaries of district to be included in assessment for the work and improvement; directing City Clerk, upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK 138603, for paving and otherwise improving Crown Point Drive, Resolution of Intention 137837, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK 138604, for paving and otherwise improving Melrose Place, Public Rights of Way in Lots 24 & 25 Block 15 Beverly, Roswell Street, Resolution of Intention 137841, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 138605, for paving and otherwise improving Nashville Street, La Salle Street, Western Street, Lapwai Street, Jupiter Street, Resolution of Intention 137842, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

4/1/57

RESOLUTION ORDERING WORK 138606, for paving and otherwise improving Santa Margarita Street, Resolution of Intention 137627, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 138607, for vacation of a portion of the Alleys in Blocks 43 and 44 Paradise Hills Unit 3 - City of San Diego reserves and excepts from the vacation the permanent easement shown on Map 6206A-B, filed as Document 543305; directing City Clerk to cause certified copy of resolution, attested by him under seal, to be recorded in office of County Recorder, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 138608, for vacation of portions of Roanoke Street, Calle Gaviota, Sea Breeze Drive, and Rancho Hills Drive, Map 6186-B, Document 547264; directing City Clerk to cause certified copy of resolution, attested by him under seal, to be recorded in office of County Recorder, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION CHANGING GRADE 138609, Lytton Street, Chatsworth Boulevard, Resolution of Intention 137734, Map 6385-B, Document 546999; was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 138610, ordering additions, changes or deletions to work and improvement ordered by Resolution of Intention 134262, on Franklin Avenue, shown on Document 549977, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 138611, for paving and otherwise improving Alley Block 15 Center Addition to La Jolla Park, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 138612, for street lighting system in Girard Avenue, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 138613, for construction of sewer main, etc., in Pardee Street, "K" Street, Alley Block 4 G. H. Crippen's Addition, and Public Rights of Way, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 138614, for furnishing electric energy in Kensington Manor Lighting District Number 1, for 1 year from and including May 1, 1957, to and including April 30, 1958, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138615, electing to proceed under provisions of

the Street Vacation Act of 1941, declaring Intention of the City Council to vacate portion of 30th Street and fixing time and place for hearing, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 138616, for paving and otherwise improving Birch Street and establishing grade, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Councilman Schneider was excused

RESOLUTION OF PRELIMINARY DETERMINATION 138617, for paving and otherwise improving Silver Gate Avenue, Jennings Street, Wilcox Street, Gage Drive, and Public Rights of Way in Pueblo Lot 180 and Lots 3 and 4 Block 1 Loma Valley, and establishing official grade, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138618, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Van Dyke Avenue and Thorn Street, Resolution of Intention 134265, and to be assessed to pay expenses thereof, diagram made by City Engineer; directing Clerk of the City at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138619, granting petition, Document 549063, for paving and otherwise improving Alley Block 74 City Heights; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, and establish official grade, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138620, granting petition, Document 546743, for paving and otherwise improving Alley Block B Cornish 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, and establish official grade, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138621, granting petition, Document 547883, for paving and otherwise improving Alley Block 32 Fairmount 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, and establish official grade, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138622, granting petition, Document 546745, for paving and otherwise improving Alley Block 65 E. W. Morse's Subdivision; directing City Engineer to furnish Council with description of assessment district and plat showing exterior boundaries of district or lands to be

4/1/57

assessed to pay costs, damages and expenses, and establish official grade, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138623, granting petition, Document 546746, for paving and otherwise improving East and West Alley Block 30 Normal Heights; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138624, granting petition, Document 547272, for paving and otherwise improving Alley Block 27 Ocean Beach Park; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including portions of Seaside Street and Seaside Place, if required, and establish official grades, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138625, granting petition, Document 546744, for paving and otherwise improving Alley Block 188 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, and establish official grades, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138626, granting petition, Document 547205, for paving and otherwise improving Alley Block 282 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, and establish official grades, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138627, granting petition, Document 549075, for paving and otherwise improving Alleys Block E Plumosa Park; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138628, granting petition, Document 547271, for paving and otherwise improving Alley Block 22 Resubdivision of Blocks K and L Teralta; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, and establish official grade, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.



RESOLUTION 138629, granting petition, Document 547739, for paving and otherwise improving Addison Street; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, and establish official grade, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138630, granting petition, Document 549062, for paving and otherwise improving Avenida de la Playa; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, and establish grade, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138631, granting petition, Document 545488, for paving and otherwise improving Cervantes Avenue; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, and establish official grade, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138632, granting petition, 549061, for paving and otherwise improving Colusa Street, Mildred Street, Brunner Street, Benicia Street, Riley Street; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; directing City Engineer to consolidate the assessment district with assessment district heretofore ordered by Resolution 136944 for improvement of Benicia Street and Gaines Street, as recommended under Document 550158, and establish official grade, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138633, granting petition, Document 547740, for paving and otherwise improving Lennox Drive, Winston Drive, Geneva Street; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including other streets; directing City Engineer to consolidate assessment district with assessment district heretofore ordered by Resolution 136946 for improvement of Derby Street and Hanover Street, and establish official grades, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138634, granting petition, Document 549245, for paving and otherwise improving westerly end of Madison Avenue; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, and establish official grade, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138635, granting petition, Document 549246, for

4/1/57

for paving and otherwise improving easterly half of 67th Street; directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, and establish official grade, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138636, granting petition, Document 546970, for sidewalks on Streamview Drive; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, and establish or change official grades, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138637, granting petition, Document 547204, for grading and otherwise improving Superba Street; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, and establish official grade, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 138638, granting petition, Document 545487, for paving and otherwise improving Thorn Street; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, and establish official grade, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

The next resolution had been continued to this meeting from an earlier meeting of the Council.

RESOLUTION 138639, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted:  
South side of University Avenue between Herbert Street and Centre Street;  
Both sides of Centre Street between University Avenue and Robinson Avenue;  
directing establishment of Parking Meter zones, and installation of parking meters and parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

The next resolution had been referred to Council Conference from an earlier meeting of the Council.

RESOLUTION 138640, setting aside easement for purpose of right of way for public sewer and appurtenances in portion of Lots D and G Research Park; directing City Clerk to file certified copy of resolution in office of County Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 138641, approving the "inland" routing of proposed freeway location from the vicinity of Carlsbad, southerly to Miramar Road to Agua Hedionda, as revised to 12/27/56, provided that the State Highway

4/1/57

Commission direct the State Highway Engineer to make a thorough study of the routing within the City of San Diego with a view of obtaining a route which will not destroy the property values of lands owned by the City of San Diego or interfere with future plans of the University of California, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

The Resolution says that "the City of San Diego will cooperate with the Division of Highways in making such study, and in the acquisition of all necessary rights of way".

RESOLUTION 138642, authorizing City Manager to accept work on behalf of The City of San Diego in Campanile Terrace Unit 2 subdivision and execute Notice of Completion and have it recorded, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

It refers to Agreement, Document 535257.

RESOLUTION 138643, authorizing City Manager to accept work on behalf of The City of San Diego in Muirlands Panorama Subdivision and execute Notice of Completion and have it recorded, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

It refers to Agreement, Document 524211.

RESOLUTION 138644, authorizing City Manager to accept work on behalf of The City of San Diego in Western Hills Unit 1 subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

It refers to Agreement, Document 512145.

RESOLUTION 138645, authorizing and directing City Manager to employ Frederick C. Whitney to perform necessary services in revision and preparation for publication of "Traffic Interference Control" manual, and brochure explaining operation and services of Inspection Department of The City of San Diego, payment to be made upon deliver of the brochures to the City and approval of invoices submitted by Frederick C. Whitney, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

The Resolution says that the City Manager suggested the current manual, published in 1949 in cooperation with local utilities, be revised and re-published, and that brochure be prepared and published. It says that Mr. Whitney, by letters of February 13, 1957 Document 550210 and March 6, 1957 Document 550211 has indicated that he is willing to perform services necessary for \$350.00 each.

RESOLUTION 138646, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego, with Solomon Building Company, a California corporation, 1034 8th Avenue, San Diego 1, called subdivider, subdivider of Twain Heights, providing for installation of mains and appurtenances larger than necessary for the subdivision - Twain Avenue from Allied Gardens Subdivision to 1/2 block west of Wanda Court - required by the City and for reimbursement by the City to subdivider of \$8265.40 covering difference in cost of installation of mains and appurtenances larger than necessary for subdivision, upon execution and delivery to the City of quitclaim deed conveying to the City all the right, title and interest of the subdivider in and to the water distribution system in Twain Heights Subdivision, was on

4/1/57

motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138647, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, agreement between The City of San Diego and Daniels, Brown & Hall, a corporation, engineers, for furnishing to City by the Engineers of engineering services in connection with preparation of plans and specifications, et cetera, for construction of proposed University Heights Storm Drain Project; total compensation not to exceed \$8,500.00, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138648, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with Laura Moran, 4933 Ocean Boulevard, San Diego 9, for leasing store building on Garnet Street (street number not given in resolution, but lease identifies property as portions of Lots 12 and 13 Block 220 Pacific Beach) - also referred to as 1349 Garnet Street - was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

(Premises are to be used as a branch office of the Building Inspection Department).

Resolution granting 60 day extension to V. R. Dennis Construction Company, Document 550532, in which to complete contract for construction of Nile Street, Wabash to Quince, etc., Document 538796, was presented.

On motion of Councilman Curran, seconded by Councilman Burgener, it was continued to the meeting of Thursday, April 4, 1957.

RESOLUTION 138649, approving request of Schafer & Stowers, March 15, 1957, Change Order 1, for extension of 15 days to and including April 3, 1957, Document 550533, in which to complete contract for small water main replacements, Group 27, contract Document 541191; extending completion under contract to April 3, 1957, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138650, approving attendance of Lieutenant Lukehart of the Police Department at annual conference of California State Juvenile Officers Association held at Oakland, California, March 20 through 22, 1957; authorizing expenses in amount not to exceed \$109.25, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138651, authorizing 2 representatives of the City Engineer's Office to attend the Illuminating Engineering Society's Regional Conference to be held in Los Angeles, California, April 3, 4, 5, 1957, and incur all necessary expenses, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138652, authorizing representative of the City

4/1/57

Engineer's Office to attend California Section Meeting of International Municipal Signal Association, to be held in Pasadena April 5, 6, 1957, and incur all necessary expenses, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138653, approving claim of Manuel Rodrigues, Document 549042, in amount of \$60.00; authorizing City Auditor & Comptroller to draw his warrant in favor of Manuel Rodriguez, 1414 Chalcedony, San Diego 9, in full payment of the claim, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 138654, accepting quitclaim deed of Solomon Building Company, a California corporation, 1034 8th Avenue, San Diego 1, executed 20th of March, 1957, 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 Twain Heights, being a resubdivision of Lots 1 and 2 Block 55 and Lot 2 Block 54 Grantville and Out Lots, together with portions of Crawford Street (Chase Street), Twain Avenue (Hancock Avenue), and Vandever Avenue, adjacent thereto; authorizing and directing City Clerk to file deed together with certified copy of resolution, for record in office of County Recorder, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138655, accepting quitclaim deed of Charles J. Rimbach and Jessie C. Rimbach, and John E. Adkins and Mamie M. Adkins, March 22, 1957, quitclaiming to the City a portion of the "Cassidy Tract", shown on Map 483 of Sorrento; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138656, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Continental Auxiliary Company, trustee, March 22, 1957, subordinating all their right, title and interest in and to easement for right of way for public alley and incidents, in portion Lot 1 Block 128 City Heights; authorizing and directing City Clerk to file subordination agreement, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138657, accepting subordination agreement, executed by Home Federal Savings and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, March 7, 1957, subordinating all right, title and interest in and to easement for right of way for public street and incidents, in portion Lot 1 Block 128 City Heights; authorizing and directing City Clerk to file subordination agreement, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138658, accepting subordination agreement, executed

4/1/57

by Standard Federal Savings and Loan Association, beneficiary, and Land Title Insurance Company, trustee, March 22, 1957, subordinating all their right, title and interest in and to easement for rights of way for public street and incidents thereto, storm drain or drains and appurtenances, water main or mains and appurtenances, in portions of Lot 18 Rancho Mission of San Diego; authorizing and directing City Clerk to file subordination agreement, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138659, accepting deed of Victor Klemaske and Clara L. Klemaske, February 27, 1957, conveying easement for alley purposes in portion Lot 1 Block 128 City Heights; dedicating land as and for 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 Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138660, accepting deed of James Gilbert Towns and Ella L. Towns, March 21, 1957, conveying easement and right of way for street purposes in southwesterly 11 feet Lot 3 Block "B" Nettleship-Tye Tract 2; naming easement Foothill 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 Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138661, accepting deed of Nancy Mae Gould, February 27, 1957, conveying easement and right of way for street purposes in portion Lot 1 Block 128 City Heights; naming easement Thorn 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 Burgener, adopted.

RESOLUTION 138662, accepting deed of Clifford O. Boren Contracting Co., Inc., March 6, 1957, conveying easement and right of way for drainage purposes in strip of land 50.00 feet wide, in Lot 24 Wadsworth's Olive Grove; authorizing and directing City Clerk 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 Burgener, adopted.

RESOLUTION 138663, accepting deed of Clifford O. Boren Contracting Co., Inc., March 21, 1957, conveying easement and right of way for drainage purposes in strip of land 10.0 feet wide in Lot 25 Wadsworth's Olive Grove; authorizing and directing City Clerk 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 Burgener, adopted.

RESOLUTION 138664, accepting deed of Clifford O. Boren Contracting Co., Inc., March 21, 1957, conveying easement and right of way for drainage purposes in strip of land 10.0 feet wide in Lot 24 Wadsworth's



4/1/57

Olive Grove; authorizing and directing City Clerk 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 Burgener, adopted.

RESOLUTION 138665, accepting deed of Bertha B. Quaintance, February 20, 1957, conveying easement and right of way for drainage purposes in portion Lot 43 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 Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION 138666, accepting deed of Edwin W. Schlehuber, Inc., March 22, 1957, conveying easement and right of way for drainage purposes in strip of land 8.00 feet wide in Lot 3 Wadsworth's Olive Grove; authorizing and directing City Clerk 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 Burgener, adopted.

RESOLUTION 138667, accepting deed of Stearns Engineering Co., February 19, 1957, conveying easement and right of way for drainage purposes in southeasterly 6.00 feet of southwesterly 90.00 feet Lot 122 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 Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION 138668, accepting deed of Stearns Engineering Co., February 19, 1957, conveying easement and right of way for drainage purposes, in portion Lot 44 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 Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION 138669, accepting deed of Charles R. Turner and Verna H. Turner, March 22, 1957, conveying easement and right of way for drainage purposes in northerly 6.00 feet of easterly 77.50 feet Lot 16 Resubdivision Block 10, and south 20.00 feet of Glen Road, Kensington Park, and portion Tract K Normal Heights; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION 138670, accepting deed of Lora Woodhead Steere, also known as Lora W. Steere, March 21, 1957, conveying easement and right of way for drainage purposes in northwesterly 6.00 feet of southwesterly 90.00 feet Lot 121 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 Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION 138671, accepting deed of William P. Chittick and Mary Chittick, March 15, 1957, conveying easement and right of way for sewer purposes in portion Lot 23 Block 16 The Muirlands; authorizing and directing Councilman Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION 138672, accepting deed of C. W. Ferris and Carolyn Lyon Ferris, March 14, 1957, conveying easement and right of way for sewer purposes in portion Lot 24 Block 16 The 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 Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION 138673, accepting deed of San Diego Unified School District of San Diego County, California, March 19, 1957, conveying easement and right of way for sewer purposes in portion Pueblo Lot 221 conveyed to San Diego Unified School District by deed recorded in Book 6084 Pages 564 and 565; authorizing and directing City Clerk 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 Burgener, adopted.

RESOLUTION 138674, accepting deed of Jan Sommer and Marjorie Sommer, March 13, 1957, conveying easement and right of way for sewer purposes in portion Lot 25 Block 16 The 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 Evenson, seconded by Councilman Burgener, adopted.

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 7403 (New Series), amending Chapter X of San Diego Municipal Code by amending Section 101.0204 thereof, and by adding a new section to be known as and numbered Section 101.0204.1 Relating to Fees for Zoning, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson. Nays-None. Absent-Councilmen Schneider, Kerrigan, Mayor Dail.

In connection with the next item, Councilman Curran asked if it "follows the formula".

The City Engineer explained it, saying that it is for engineering, only. (Does not relate to the actual cost of the installation).

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

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

ORDINANCE 7404 (New Series), appropriating \$8,500.00 out of Storm Drain Bond Fund, No. 716, for payment of Engineering Services in

4/1/57

connection with University Heights Storm Drain Project, 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.

Ordinance changing name of Ridge View Drive to Ridgeview Drive, was introduced, on motion of Councilman Burgener, seconded by Councilman Curran, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson. Nays-None. Absent-Councilmen Schneider, Kerrigan, Mayor Dail.

Ordinance dedicating Alley in Block 15 Swan's Addition, as and for public street, and naming it Roseview Place, was on motion of Councilman Evenson, seconded by Councilman Burgener, introduced, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson. Nays-None. Absent-Councilmen Schneider, Kerrigan, Mayor Dail.

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

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of East Clairemont Unit 2, a subdivision of 161 lots located in the East Clairemont area, subject to posting of bond in an amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 138676, adopting Map of East Clairemont Unit 2 Subdivision, being a subdivision of portion of Pueblo Lots 1211 and 1222; accepting on behalf of the public, Mt. Bigelow Drive, Mt. Bagot Avenue, Mt. Everest Boulevard, Mt. Blanca Drive, Mt. Bross Avenue, Mt. Alifan Drive, Mt. Culebra Avenue, Mt. Bolanas Court and easements shown for sewer, water, drainage, slope rights and public utilities, together with any and all abutters' rights of access in and to Balboa Avenue, adjacent and contiguous to Lots 209 through 234 inclusive and Lots 250 and 251; declaring them to be dedicated to public use; rejecting dedication for public street of portion shown as "Reserved for Future Street"; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that the Council has approved the subdivision map, and that the streets and easements, together with rights of access are accepted on behalf of the public; and that the Council rejects as a dedication for public street portion shown as "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 Curran, seconded by Councilman Burgener, adopted.

Resolution authorizing contract, 138375 is shown on next page.

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

Communication from Planning Commission, by Richard L. Weiser, recommending approval of final map of Heritage Addition Unit 1, a subdivision of 101 lots located in the Clairemont area, subject to posting of bond in amount sufficient to insure installation of required improvements, was presented.

RESOLUTION 138677, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Heritage, Inc., a Texas Corporation, for installation and completion of unfinished improvements and setting of monuments required for Heritage Addition Unit 1 Subdivision; directing City Engineer to present ordinance establishing

Ords. intr.  
138676 - 138677 (and  
communications re subs.  
- by U.C.)

4/1/57

official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 138678, adopting Map of Heritage Addition Unit 1, being a subdivision of portion of Pueblo Lot 1242; accepting on behalf of the public Millwood Road, Rebel Road, Constitution Road, Conrad Avenue, portion of Lehrer Drive and portion of Genesee Avenue, and easements shown for sewer, water, drainage and public utilities 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 the Council has approved the map and that the streets and easements are accepted on behalf of the public; directing City Clerk to transmit the map to Clerk of the Board of Supervisors of County of San Diego, California, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Recommendation of Planning Commission, and Resolution re the next subdivision approval, are shown on page 397.

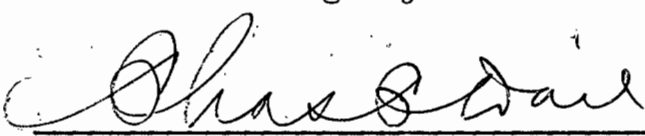
RESOLUTION 138675, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Pueblo Construction Company, a corporation, and Tavares Construction Company, a corporation, for installation and completion of unfinished improvements and setting of monuments required for East Clairemont Unit 2 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 Burgener, adopted.

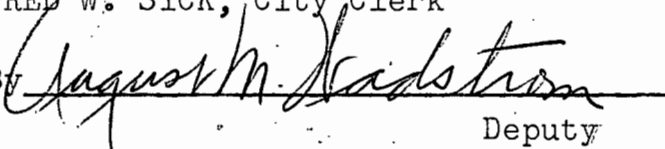
The City Manager requested, and was granted, unanimous consent to present the next resolution, not listed on the agenda. He said that attendance in Washington would be "if necessary". He told the Council that there is a new group, new personnel, and that they may be called back.

RESOLUTION 138679, authorizing O. W. Campbell, City Manager, and Aaron W. Reese, Assistant City Attorney to attend meetings of the Airport Use Panel in Washington, D.C., commencing April 2, 1957, and incur all necessary expenses, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned at 12:10 o'clock P.M.

ATTEST:  
FRED W. SICK, City Clerk

  
Mayor of The City of San Diego, California

By   
Deputy