

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, August 23,
1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:05 o'clock A.M.

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

In the absence of the Mayor from the City, Vice Mayor Chester E. Schneider presided.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Dr. Frank J. Dingeman and Helen N. Dingeman from the decision of the Zoning Committee in denying 3 applications for permission to construct 3 single-family residences with no setbacks on the westerly side of Coronado Street, between Froude and Guizot Streets, on Lots 40, 41 and 42 and the 10 feet of the street ~~of the street~~ closed adjoining the same, in Block 10 Ocean Beach, in Zone R-1, the Planning Commission's report (Zoning Committee) reporting on the matter was presented and read.

Dr. Frank J. Dingeman, 3125 Dickens Street, spoke. He referred to a false statement in the report read. He said that there were to be 2 stories, not 3. Dr. Dingeman told the Council that he asked only for a basement with flat roof. He said that there misstatements in the protest also, regarding lot widths. He reviewed his previous activities in San Diego in building many houses, pointing out that he had greatly benefited persons who had purchased them. He said that what he wants is to come out to the property line, 2 feet below grade.

The Vice Mayor asked if anyone else wished to be heard.

Harry Masters spoke in opposition to the appeal. He said that he and other property owners do not want 1 house on each 25-foot lot. He showed photographs of existing developments in the area to the Council.

Mr. Masters was asked if he knew that Dr. Dingeman would technically be permitted to construct one house on each of his lots, and Mr. Masters said he knew that to be the case.

Dr. Dingeman showed drawings of previously-built houses. He said he cannot sell the undeveloped property, because purchasers could not secure loans for building, whereas he can afford to build the houses. He said that granting his request would result in damage to no one.

Mrs. Emil E. Wackerman, 4558 Coronado Avenue, presented to the Council a large group of protesting neighbors, who arose, but did not identify themselves. She said that the buildings would be ugly eyesores, and that they would not serve the purpose for which Dr. Dingeman had said that they were intended. They would, she said, be sub-standard.

Mrs. Agnes Sullivan, 4593 Coronado Avenue, said that it is a beautiful area, and that the Dingeman plan for building would be a detriment.

Oliver Kastner, 4505 Coronado Avenue, said he has lived in his residence since 1939 and told of the character of the neighborhood as well as that of the Dingeman property.

Dr. Dingeman spoke about the alley at the rear of the property, and of the adjoining property. He said that he would give a right of way for driveways, and that the alley can be improved for his property.

The Vice Mayor declared the hearing closed at this time, and turned the matter over to the Council for its consideration.

Members of the Council asked Glenn A. Rick, Planning Director for a verbal report, which he made.

Mr. Rick said that he does not have information regarding levels, etc. He said that street slopes and other factors have to be considered, and said he could not answer specific questions without checking on each detail on the ground. He said that it is a question regarding the front of the house, and not the depth of the lot referred to by various speakers. He said that he was afraid that granting the request would result in a "mess of underpinning" to hold up the property above the canyon in which it is proposed to make the construction.

RESOLUTION NO. 103471, recorded on Microfilm Roll No. 42, overruling and denying the appeal of Dr. Frank J. Dingeman and Helen N. Dingeman, 3125 Dickens Street, from the Zoning Committee's decision in denying by Resolutions Nos. 5751, 5752 and 5753, applications Nos. 9400, 9401 and 9402, for variance to the provisions of Ordinance No. 12321, to permit construction of 3 single-family residences with no setback on the westerly side of Coronado Street, between Froude and Guizot Streets, one on each of Lots 40, 41 and 42 and 10 feet of the street adjoining said lots, in Block 10 Ocean Beach, in Zone R-1, sustaining said Zoning Committee decision, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

Councilman Dail was excused from the meeting at this time.

2

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Henry H. Hester from the decision of the Zoning Committee granting permission to construct a 4-unit apartment with 4 garages, on Lot 4 Block 114, southeasterly of 3030 Macaulay Street, in Roseville, in Zone R-4, on condition that the garages be located back of a line drawn at an angle of 30° from Macaulay Street and commencing at the most southerly corner of Lot 4, the appeal being from the requirement for the setback, the report from the Zoning Committee was presented and read.

No one responded when the Vice Mayor inquired if anyone was present who desired to be heard.

The Clerk pointed out that a letter had been received from Mr. Hester, 315 South Virgil Avenue, Los Angeles 5, but that he would appear at this hearing although he did not appear to file the appeal.

The Planning Director made a verbal report, quoting from Mr. Hester's letter relative to appearance at the hearing. He told the Council that notices had been mailed, as required, that the appellant had been advised of this hearing.

RESOLUTION NO. 103472, recorded on Microfilm Roll No. 42, overruling and denying the appeal of Henry H. Hester, 315 South Virgil Avenue, Los Angeles 5, from the decision of the Zoning Committee on provisions imposed in its Resolution No. 5736 regarding condition for setback of garages in connection with variance granted for construction of 4-unit apartment with 4 garages, on Lot 4 Block 114, southeasterly of 3030 Macaulay Street, in Roseville, in R-4 Zone, and sustaining said Zoning Committee decision, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

After action had been taken in the matter, Councilman Godfrey pursued the absence of Mr. Hester, and wondered if he should have been present. It was pointed out, again, that he had been apprised of this hearing and had not responded. No further action was taken.

In the next matter, it was pointed out that Councilman Dail was absent, and it was felt that 5 members should be present to hear it. The sergeant at arms was sent to summon Mr. Dail, who returned to the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Robert L. Holladay from the decision of the Zoning Committee in denying the request of Mr. and Mrs. Holladay for permission to erect and maintain a retail store to sell dairy products, ice cream, poultry, eggs and farm products, and to erect buildings incidental thereto, on portion of Pueblo Lot 1112 at 619 to 631 Camino Del Rio, in Zone R-1A; the report from the Committee was presented and read.

Ed Schwartz, attorney, representing the Holladay family, was heard. He spoke about the previous request for a zone change, upon which hearings had been held by the Council. That was followed by an application to the Commission for zone variance. No protests, he said, have been made by any property owners in the area. He said that appellants, representing a large family, only want to continue the activity now being conducted. He said that granting the request would shorten the driving distance for customers from the existing 900 feet to 300 feet. Mr. Schwartz said that the "shopping center" referred to is a misnomer, and that it is not the intention to operate such an enterprise. He said that the request is for addition of 2 or 3 products to the presently-permitted sales: some of which would be purchased for sale, in addition to items produced on the property. The chicken activity, he said, would be eliminated. Mr. Schwartz said granting the request would result in improvement to the entire farm, a plan having been laid out by a large dairy farm planning firm. He said that the owners would follow all the Health Department recommendations.

R. L. Holladay said that they would be able to serve patrons better by moving the activities from their present location to the one requested.

Councilman Kerrigan referred to the application, and quoted from it. He expressed the belief that granting the request would greatly increase the present operation.

Councilman Swan had sought to speak, but was interrupted by Councilman Wincote, resulting in an argument over who had the floor.

Councilman Wincote apologized to Mr. Swan.

On motion of Councilman Wincote, seconded by Councilman Dail, a 5 minute recess was taken, to clear the atmosphere.

Upon reconvening, the Chairman apologized to Mr. Swan (who had not returned) for the interruption. The Chairman sent the sergeant of arms to bring in Mr. Swan, who appeared immediately.

Mr. Schwartz resumed, and emphasized the unanimous endorsement of the request by interested property owners and by the Mission Valley Improvement Association. He read a letter from the Association, and pointed out that all of the 27 members present at the meeting approved the request. Also, he told of the signatures of approval on the petition, and said that there has been not one protest.

Councilman Kerrigan asked Mr. Schwartz if his clients are willing to have the same restrictions placed on the new location as on the present variance.

Mr. Holladay said that separate buildings are desired, in the interests of efficiency and better service to patrons.

The Planning Director reviewed the present operation, and the variance under which it works, and the new request. He spoke about the first variance, which had been granted in 1944.

Councilman Kerrigan contended that there would be considerable expansion of operations under the new request.

The Planning Director said that variance sought should have limitations and that they should be specified definitely.

Mr. Schwartz said that the Holladays would not oppose designation of specific permitted buildings and limitations placed thereon by the City.

Mrs. John Westwood, who lives on the hill, spoke. She identified herself as a Holladay family member. She told of the traffic, and said that there are no hazards on the "new little road".

Mrs. Brazee Hawkins spoke next, regarding traffic in the Valley. She said

that in her opinion the new buildings would not increase the hazard, being familiar with the situation as a resident of the area.

Mrs. Emily Cazare told the Council that the traffic is not bad now, on account of the new road.

Councilman Dail opposed any left-hand turns into a freeway.

Mrs. Robert Holladay spoke next. She told about the traffic on the access road, and the left-hand lane traffic.

The Vice Mayor told of his experience in driving on Mission Valley Road frequently. He said that hazards are now at a minimum due to the separation.

Councilman Godfrey said that reasonable expansion should not be objectionable, but wondered about continued growth. He thought the matter should be referred back to the Zoning Committee for granting.

Councilman Godfrey moved to refer the matter back to the Planning Commission for "nailing down" the specific things, and continuance of the hearing until next week for final form.

The Planning Director said that it would not be practicable to refer it back inasmuch as the next meeting would not be held until after the meeting at which it was desired to have the matter before the Council. He suggested that it would, instead, be referred to the Planning Director and to the City Attorney.

Councilman Godfrey moved to refer the matter to the Planning Director and to the City Attorney for preparation of a Resolution granting the variance, enumerating therein the restrictions to be imposed, and continuing the hearing one week, which motion was seconded by Councilman Wincote.

Considerable discussion followed, during which Councilman Dail offered an amendment to the effect that the proposed Resolution in no way binds the Council (referring to it committing the Council to adopt it).

At this time the roll was called, resulting in the following Resolution:

RESOLUTION NO. 103473, recorded on Microfilm Roll No. 43, referring to the Planning Director and the City Attorney the appeal of Robert L. Holladay from the decision of the Zoning Committee in denying the request of Mr. and Mrs. Holladay for permission to erect and maintain a retail store to permit the sale of dairy products, ice cream, poultry, eggs and farm products, and to erect buildings incidental thereto, on portion of Pueblo Lot 1112 at 619 to 631 Camino Del Rio (Mission Valley) in Zone R-1A, for preparation of a Resolution granting the variance, enumerating therein the restrictions to be imposed, and continuing the hearing one week from this date, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Dail, Godfrey. Nays--Councilmen Swan, Kerrigan. Absent--Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Lloyd T. Penick from the decision of the Zoning Committee in denying the petition for construction and operation of a contractor's storage yard, an M-1 use, at the southwesterly corner of 34th and Pickwick Streets, in Zone R-4, the report from the Zoning Committee was presented and read. (An effort had previously been made to re-zone said property, but had been denied and the applicant requested by the Council to apply for zone variance, instead).

William Starke, attorney, spoke. He pointed out that the same 3 members of the Zoning Committee which denied the present request had sat as a Planning Commission on the hearings which had also denied the re-zoning request. He said that no protests had been entered, and referred to the nearby zones. Mr. Starke said that the Penick request is reasonable.

Councilman Dail said that there were no objections in the neighborhood.

Councilman Dail moved to sustain the appeal and overrule the Zoning Committee's decision in denying the application of Lloyd Penick for the variance, which motion was seconded by Councilman Wincote.

Before the roll could be called, the Planning Director said that restrictions should be included. He pointed out that variance had been requested as result of Council's action referring the matter to the Zoning Committee.

Ira Shafer spoke at this time, and asked if he has the right to secure a business zone on his property, in the same manner as Mr. Penick if his is granted.

The Vice Mayor told Mr. Shafer that the change would have to be done by an application, and would not be automatic.

The Planning Director said that Mr. Shafer would follow the same procedure as Mr. Penick.

Councilman Wincote said that Mr. Shafer's question has no bearing on the question as being heard at this time.

Mr. Shafer, asked if he is protesting, replied that he did protest "special privilege" - and that he was speaking in behalf of his daughter who is the owner of the property directly across the street from the Penick property.

The Planning Director said that there had been one protestant at the first hearing, but that at the next hearing he had entered no protest.

Lloyd Penick, who was seeking to have the variance granted, spoke. He said that he had circulated the petition and had obtained signatures from all but 2 property owners, and that 1 had subsequently withdrawn his objections. He said he was willing to have stipulations included in the variance as to use of property for a contractor's service yard only.

Councilman Dail then moved to include in the original motion for a zone variance, a provision for use of the property as a contractor's service yard only, which motion was seconded by Councilman Wincote.

Councilman Kerrigan asked for all conditions to be incorporated into the proposed Resolution.

There was further discussion, and a withdrawal of the previous motion and second.

RESOLUTION NO. 103474, recorded on Microfilm Roll No. 42, referring to the Planning Director and to the City Attorney the appeal of Lloyd T. Penick, to work out the details of a Resolution for a zone variance to permit operation of a contractor's service yard as shown above, and continuing this hearing for one week, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Mr. Penick spoke again, and said after having waited so long already, he

would not object to one more week's delay. He told the Council that he is making provision for his son's future in establishing the yard, and that he has no intention of selling.

Members of the Council lauded Mr. Penick as a long-time resident, and a respected contractor, but pointed out the possibility of future operations of the property which necessitate restrictions being placed upon such a variance.

Claim of A. W. Dreier, 1641 First Ave., San Diego, in the sum of \$34.00, for damage to automobile by City truck, was presented.

RESOLUTION NO. 103475, recorded on Microfilm Roll No. 42, referring claim of A. W. Dreier to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Claim of Mrs. Winifred White, 862 - 19th Street, San Diego, for personal injuries sustained in fall on sidewalk at 19th and E Streets, was presented.

RESOLUTION NO. 103476, recorded on Microfilm Roll No. 42, referring claim of Mrs. Winifred White to the Pacific Indemnity Company was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Planning Director, recommending approval of the Final Map of Makai Heights, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 103477, recorded on Microfilm Roll No. 42, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Chris L. Montgomery and Dorothy E. Montgomery, husband and wife, subdividers, and the Southern Title and Trust Company, as Trustee, for construction and completion of unfinished required improvements for Makai Heights, directing the City Engineer to present an ordinance establishing official grades of all streets within said subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Said Resolution recites that the subdividers have executed the contract and have deposited the sum of \$16,612.45 with the Southern Title and Trust Company, a corporation, as Trustee, to guarantee satisfactory completion of work and improvements.

RESOLUTION NO. 103478, recorded on Microfilm Roll No. 42, adopting map of Makai Heights, being a subdivision of portion of Block 14 Loma Alta No. 1, accepting on behalf of the public Long Branch Avenue, Muir Avenue and unnamed easements shown thereon for public purposes, declaring said streets and easements to be public streets and easements and dedicated to the public use, authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council, that said streets and unnamed easements are accepted on behalf of the public, authorizing and directing him to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City of Coronado, in behalf of the Council, signed by Arthur L. Chytrus, Chairman, Vehicular Tunnel Committee, inviting the Mayor and members of the Council to be luncheon guests on Thursday, September 20, 1951, at 12:30 P.M. at Hotel del Coronado, to be followed by a joint conference on the proposed Tunnel under the Bay of San Diego, the invitation to include also "such other members of your official family, and newspaper reporters, as you may desire", was presented.

On motion of Councilman Wincote, seconded by Councilman Dail, the matter was referred to the Vice Mayor for reply.

Communication from Men's Democratic Club of San Diego, signed by William B. Moeser, Secretary, stating that the Club had passed a resolution on August 16, 1951, requesting the City of San Diego to extend an invitation to President Harry S. Truman to visit San Diego on his trip West to the Peace Conference in San Francisco, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Swan, the matter was referred to the Mayor with the request that he issue the invitation.

Communication from Pacific Indemnity Company, dated August 17th, 1951, signed by J. M. MacConnell, reporting on claim of F. D. Henry and Mrs. Henry, by Farmers Insurance Group, in the sum of \$172.37, stating that the case had been closed by payment of \$129.28, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated August 17th, 1951, signed by J. M. MacConnell, reporting on claim of Jack R. McLemore, advising that the case had been closed by payment of \$41.78, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated August 17th, 1951, signed by J. M. MacConnell, reporting on claim of Aloysius J. Monschein, for damage to car from spray painting at the Sewage Disposal Plant, stating that the case had been closed by payment of \$30.00, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated August 17th, 1951, signed by J. M. MacConnell, reporting on claim of Ted Pyke for damage to his pickup truck by City rubbish truck, stating that the case had been closed by payment of \$49.59 on August 13, 1951, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the matter was ordered filed.

RESOLUTION NO. 103479, recorded on Microfilm No. 42, giving notice of the proposed annexation to The City of San Diego of Lots 7, 8, 9, 10, 23 and 24 of The Highlands; Lot 6 Block 10, Lots 1, 2, 3 and 4 Block 21 Rosedale; portions of Lots 72 and 78 of Rancho Mission of San Diego, to be known and designated as "Torgerson-Platner Tract", setting hearing on the 11th day of September, 1951, at the hour of 10:00 o'clock A.M., in the Council Chamber, directing the City Clerk to cause said resolution to be published once a week for two successive weeks prior to the hearing in the San Diego Union, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103480, recorded on Microfilm Roll No. 42, being a Resolution and Order of The City Council electing to pay out of the Municipal Funds all of the amount of tax which would otherwise be levied upon property within The City of San Diego by and for the Metropolitan Water District of Southern California, for the fiscal year beginning July 1, 1951, and ending June 30, 1952, and providing for the payment thereof, all as more particularly set forth in detail in said Resolution, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103481, recorded on Microfilm Roll No. 42, accepting deed of William F. Newton and Vivian M. Newton, bearing date August 10, 1951, conveying portion of Lot 36 of The Highlands, authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103482, recorded on Microfilm Roll No. 42, accepting deed of James V. Smith and Ruth A. Smith, bearing date August 15, 1951, conveying a portion of Lot 36 of The Highlands, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103483, recorded on Microfilm Roll No. 42, accepting deed of Jack W. Brem and Helen M. Brem, bearing date June 19, 1951, conveying a portion of Pueblo Lot 300, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103484, recorded on Microfilm Roll No. 42, accepting deed of Gregory Electric Company, bearing date August 14, 1951, conveying portions of Lots 13, 14 and 15 West Atlantic Street Addition, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, rescinding Resolution No. 102776 adopted June 21, 1951, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103485, recorded on Microfilm Roll No. 42, accepting deed of Frances Macceca, bearing date August 9, 1951, conveying portion of Lot 4 Block 381 Old San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103486, recorded on Microfilm Roll No. 42, accepting deed of Florence R. McKinney and Ruth McKinney Glendon, bearing date July 18, 1951, conveying portion of Lots 1, 2, 3, 32 and 33 Block 45 La Jolla Park, and portion of alley in said Block as vacated, and portion of Torrey Pines Road and Cowrie Avenue adjoining said Block as vacated, setting aside and dedicating the same to the public use as and for a public street, naming the same Torrey Pines Road, authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103487, recorded on Microfilm Roll No. 42, accepting deed of Katherine D. Noble, bearing date August 7, 1951, conveying a portion of Pueblo Lot 1286, setting aside and dedicating the same to the public use as and for a public street, and naming the same Torrey Pines Road, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103488, recorded on Microfilm Roll No. 42, accepting deed of H. L. Smithton and Edna L. Smithton, bearing date July 20, 1951, conveying portion of Pueblo Lot 1285, setting aside and dedicating the same to the public use as and for a public street, and naming the same Torrey Pines Road, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103489, recorded on Microfilm Roll No. 42, accepting deed of Chesta E. B. Wrenn, bearing date August 8, 1951, conveying a portion of Pueblo Lot 1285 setting aside and dedicating the same to the public use, and naming the same Torrey Pines Road, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103490, recorded on Microfilm Roll No. 42, accepting deed of Lucille K. Carman, bearing date August 10, 1951, conveying portion of Lots 1 and 2 Block 10 Loma Alta No. 1, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabaska Drive, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103491, recorded on Microfilm Roll No. 42, accepting deed of Florence R. McKinney and Ruth McKinney Glendon, bearing date July 18, 1951, conveying easement and right of way for storm drain purposes in portion of Cowrie Street, closed to public use, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

ORDINANCE NO. 4903 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$20,000.00 from the Civil Defense Reserve Fund, for the purpose of providing funds for operation and maintenance of the Civilian Defense Department, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, ~~Mayer-Butler~~. Nays---Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4904 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$10,000.00 from Community Projects Account, General Appropriations, for the purpose of providing funds for promotion of Philharmonic and Symphony Orchestra concerts in Balboa Park, authorizing payment of \$5,000.00 each to the San Diego Philharmonic Society and to the San Diego Symphony Orchestra Association, for said promotion, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4905 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$8,950.00 from the Unappropriated Balance for the purpose of providing funds for payment of assessment on City property in Kellogg Park for improvement of public streets, was on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4906 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$2,000.00 from the Unappropriated Balance Fund for the purpose of providing funds for furnishing and initial operation of the Information Booth at Horton Plaza, was on motion of Councilman Kerrigan, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler. Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4907 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$725.86 from the Unappropriated Balance Fund, for the purpose of providing funds for purchase from Mrs. Nora Dorman of folding door partitions in restaurant on Santa Clara Point, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler. Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Councilman Dail requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

ORDINANCE NO. 4908 (New Series), recorded on Microfilm Roll No. 42, amending Ordinance No. 2584 (New Series) adopted December 11, 1942, by adding a new section thereto to be numbered 17-1/2, was on motion of Councilman Dail, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The Ordinance was declared to be one to take effect and be in force on the thirty-first day from and after its approval. The subject matter of the Ordinance deals with trailer park grounds and the use of trailer cars, trailer houses or automobiles used for living purposes, and provides that provisions of said Ordinance No. 2584 (New Series) shall not apply to temporary use of automobile trailers where construction is improvements in new subdivisions in outlying areas of the City require the contractor to maintain building supplies and materials on the ground during construction and in order to safeguard the same watchmen may occupy trailers for temporary residential purposes during period of construction of improvements, provided that the automobile trailer has sanitary toilet facilities which meet approval of the Department of Public Health.


The City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

RESOLUTION NO. 103492, recorded on Microfilm Roll No. 42, thanking Kenneth A. Glazebrook of Mobilehome Corporation for his generous donation of a building, free of charge to The City of San Diego and placing the same at the Plaza, accepting said building in his honor and helping the City to take care of a very urgent and dire need and helping all the citizens of The City of San Diego in fulfilling responsibilities to the servicemen and their families who come to our city; instructing the City Clerk to send a copy of said Resolution to Mr. Glazebrook, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

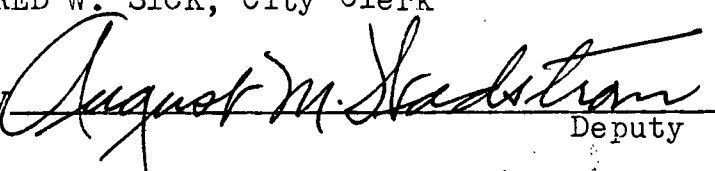
The following matters were listed on the agenda as having been referred by the City Clerk to the City Manager to expedite handling; communications from:

- City Planning Director relative to proposed annexation of area north of Montgomery Field;
- Robert F. Platte offering services for future mural painting, etc.
- H. L. Close, A. M. Gilbert, Rose G. Gent, Emma C. Spade and Fay Boynton, favoring retention of the ordinance against smoking in buses.

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned, at the hour of 12:30 o'clock Noon.


 Mayor of The City of San Diego, California

ATTEST:
 FRED W. SICK, City Clerk

By 
 Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, August 28, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

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

The Minutes of the Regular Meetings of Tuesday, August 21, 1951, and of Thursday, August 23, 1951, were presented to the Council by the Clerk

On motion of Councilman Kerrigan, seconded by Councilman Swan, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for installation of the 54th Street 12" Asbestos Cement Pipe Line, from El Cajon Boulevard to Orange Avenue, including section on Orange Avenue, and from Chollas Station Road to Euclid Avenue, the Clerk reported that 7 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Charles J. Dorfman, 124 North La Brea Avenue, Los Angeles, accompanied by bond written by Saint Paul-Mercury Indemnity Company in the sum of 10% of the amount of bid, which bid was given Document No. 437760;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company in the sum of 10% of the total amount of the bid, which bid was given Document No. 437761;

Councilmen Dail, Wincote, Godfrey entered the meeting at this time - during reading of the bids.

The bid of ABC Construction Company, Inc., accompanied by bond written by United Pacific Insurance Company in the sum of money equal to 10% of the amount of the accompanying proposal, which bid was given Document No. 437762;

The bid of Carroll & Foster, accompanied by bond written by Maryland Casualty Company in the sum of 10% of amount of bid, which bid was given Document No. 437763;

The bid of Cameron Bros., accompanied by bond written by Glens Falls Indemnity Company in the sum of \$3,800.00, which bid was given Document No. 437764;

The bid of E. W. Cannell, doing business as E. W. Cannell Engineering Contractor, accompanied by bond written by Founders' Insurance Company in the sum of 10% of the amount of the bid, which bid was given Document No. 437765;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of 10% of amount of bid, which bid was given Document No. 437766.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

RESOLUTION NO. 103493, recorded on Microfilm Roll No. 42, authorizing and directing the City Clerk to advertise twice in The San Diego Union, the official newspaper of the City of San Diego, for sealed bids for the purchase of \$2,750,000 general obligation bonds, described in the form of notice set forth in said Resolution, \$750,000 of which are for sewer purposes and were authorized at a special election held on the 13th day of March, 1951, and \$2,000,000 of which are for waterworks purposes and were authorized at a special election held on the 17th day of April, 1951, said notice also to be published by two insertions in The Daily Bond Buyer, New York, New York, but that failure to make said publications, or either thereof, in The Daily Bond Buyer and no defect in said publications, or either thereof, shall in any way effect or invalidate the proceedings for the sale of said bonds, said bids to be received up to the hour of 10 o'clock A.M., Thursday, October 4, 1951 (Pacific Standard Time), was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of Thorn Street and 45th Street, within the limits and as particularly described in Resolution of Intention No. 103134, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Godfrey, seconded by Councilman Dail, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of the Alley in Block 2 Subdivision of Lots 7 to 17 inclusive, Block N Teralta, within the limits and as particularly described in Resolution of Intention No. 103135, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Schneider, seconded by Councilman Wincote, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of Brant Street and Washington Street, within the limits and as particularly described in Resolution of Intention No. 103136, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Wincote, seconded by Councilman Godfrey, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of Niagara Avenue and Catalina Boulevard, within the limits and as particularly described in Resolution of Intention No. 103137, the Clerk reported that written protest had been received from William M. McCollom (proposing use of black top, instead of 5" Portland cement concrete as specified), which protest was presented to the Council.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

The City Engineer reported, verbally, that an 8% protest had been entered, and he stated that cement concrete is needed on account of the steep grade.

RESOLUTION NO. 103494, recorded on Microfilm Roll No. 42, overruling and denying the protest of William M. McCollom, and all other protests, against the work of improving Niagara Avenue and Catalina Boulevard, within the limits and as particularly described in Resolution of Intention No. 103137, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2025, made to cover the cost and expenses of the paving and otherwise improving of Vallecitos, Camino Del Oro, De La Ribera and Camino Del Sol, within the limits and as particularly described in Resolution of Intention No. 98804, the Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 103495, recorded on Microfilm Roll No. 42, confirming and approving the Street Superintendent's Assessment No. 2025, made to cover the cost and expenses of the paving and otherwise improving of Vallecitos, Camino Del Oro, De La Ribera and Camino Del Sol, within the limits and as particularly described in Resolution of Intention No. 98804, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Petition of Welfare Foundation of the Downtown Lions Club, dated August 22, 1951, signed by Carl W. Williams, Secretary-Treasurer, for waiving of the license fee covering Ringling Brothers, Barnum and Bailey circus, to be held September 8 and 9, for the benefit of its nationally known welfare program, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said petition was ordered filed.

Claim of Charles W. Currie, 4413 Ohio Street, for personal injury resulting from fall on sidewalk, in an unspecified sum, was presented.

RESOLUTION NO. 103496, recorded on Microfilm Roll No. 42, referring claim of Charles W. Currie to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Claim of Elizabeth R. Siebert, 2940 "B" Street, in the sum of \$17.26, for damage to water line caused by truck dumping dirt over copper line (City-owned truck), was presented.

RESOLUTION NO. 103497, recorded on Microfilm Roll No. 42, referring claim of Elizabeth R. Siebert to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing bulk Ferric Sulfate for a six months' period, was presented.

RESOLUTION NO. 103498, recorded on Microfilm Roll No. 42, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of requirements for bulk Ferric Sulfate for a six months' period beginning September 15, 1951, in accordance with specifications bearing Document 437679, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103499, recorded on Microfilm Roll No. 42, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the dredging and filling of De Anza Point and vicinity, Mission Bay, bearing Document No. 437682, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending that parking be prohibited on the westerly side of Pacific Highway between Enterprise and Kurtz Streets, from 7 A.M. to 9 A.M., Sundays excepted, to prevent use of the street by all-day parkers, to the detriment of patrons of adjoining businesses, was presented.

RESOLUTION NO. 103500, recorded on Microfilm Roll No. 42, prohibiting the parking of automobiles between the hours of 7:00 A.M. and 9:00 A.M., Sundays excepted, on westerly side of Pacific Highway, between Enterprise Street and Kurtz Street, and authorizing and directing the installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

* Communication from the City Manager recommending that the intersection of 30th Street and Meade Avenue be established as an intersection stop affecting all four directions of traffic, pending installation of traffic signals, was presented.

RESOLUTION NO. 103501, recorded on Microfilm Roll No. 42, declaring the intersection of College Avenue and Montezuma Road, affecting traffic in all directions to be an "Intersection Stop"- 4-ways - authorizing and directing the installation of necessary signs and markers, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

* Communication from the City Manager recommending that the intersection of College Avenue and Montezuma Road be established as an intersection stop affecting all four directions of traffic, as a temporary measure awaiting installation of traffic signals, was presented.

RESOLUTION NO. 103502, recorded on Microfilm Roll No. 42, declaring the intersection of 30th Street and Meade Avenue, affecting traffic in all directions to be an "Intersection Stop" - 4-ways - authorizing and directing the installation of necessary signs and markers, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager reporting on communication from Mrs. W. S. Mills, 4104 Ingalls Street, relative to inadequacy of street sweeping on West Lewis and Ingalls Streets, submitting copy of his reply stating that they have been put on every 3-weeks sweeping schedule, and recommending filing, was presented.

On motion of Councilman Swan, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from the City Manager reporting on communication from Robert F. Platte, Studio #1, Rosemary Lane, Santa Barbara, California, offering services in the event the City has need for a mural painter, attaching copy of his reply and recommending filing, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from the City Manager reporting on communication from San Diego County Grand Jury, dated July 13, 1951, signed by Ernest J. Boud, Foreman, which submitted form of ordinance to provide for commitment of non-medical drug addicts, submitting copy of his reply stating in part that remedial action must come from a higher level of government, and that the City will continue using every available resource to enforce existing legislation re sale and use of narcotics, was presented.

On motion of Councilman Schneider, seconded by Councilman Schneider, said matter was ordered filed.

Communication from the City Manager reporting on communications relative to smoking in buses, from Mrs. Rose G. Gent, 3793 - 35th Street; Miss Emma C. Spade (and Fay Boynton), 3778 Albatross Street; Miss A. M. Gilbert, 2815 Hawthorn Street; H. L. Close, 608 S.D. Trust and Savings Building; R. T. Young, 3724 Tennyson Street, submitting copies of his replies, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from the Street Superintendent recommending granting petition of the San Diego City Schools for closing of the Alley in Block 5 Second Fortuna Addition, adjoining the playground of the Crown Point Elementary School, was presented.

RESOLUTION NO. 103503, recorded on Microfilm Roll No. 42, granting petition for the closing of the Alley in Block 5 Second Fortuna Park, contained in Document No. 435623, as recommended by the Street Superintendent, directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Zoning Committee reporting that the Committee had reconsidered the application of Dorothy F. Trevor for zone variance to build a fourth living unit on her property at Gravilla Street and Electric Avenue in La Jolla, in Zone R-2, and that it had now recommended that a fourth unit be approved, said residence to be 22' x 25', on conditions set forth therein, was presented.

Said communication was read to the Council.

There was brief discussion as to the proper procedure for Mrs. Trevor to secure the variance, resulting in

RESOLUTION NO. 103504, recorded on Microfilm Roll No. 42, sustaining appeal of Dorothy F. Trevor from the decision of the Zoning Committee in denying her appeal from the Committee's decision in denying application for variance to the provisions of Ordinance No. 13294 to permit construction of a residence - making a total of four units on a lot - being on Lots 21 and 22 Block 7 La Jolla Strand - at the southwest corner of Gravilla Street and Electric Avenue, in Zone R-2, overruling and denying said decision; granting variance to the provisions of Ordinance No. 13294 to build a fourth living unit on said property, said residence unit to be 22' x 25', on the following conditions: 1. To observe a setback not less than the other buildings on her lot at Gravilla Street; 2. That at least two surfaced off-street parking spaces be provided at the rear of said fourth dwelling; 3. That the building may be constructed with a 9-foot rear yard where 15-foot is required in the Ordinance, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Richard J. Bartsch, 1424 Brookes Avenue, relative to permit granted to Gus E. Matchinske for construction of one apartment above 5 garages at Albert and Brookes Avenues, over his protest and appeal, reporting that 2 units are being constructed instead of the one allowed, was presented and read.

Mr. Bartsch spoke, and told the Council about the building being done, along line of his communication.

The Mayor said that the Manager would check the matter, and that Mr. Matchinske has to comply with the variance, as granted.

Mr. Bartsch submitted a drawing of what he stated is being done on the premises, also a copy of the zone variance granted to Mr. Matchinske, which he handed to Councilman Wincote. Mr. Wincote, without referring to the record, thought that the Council had granted two units, rather than one.

RESOLUTION NO. 103505, recorded on Microfilm Roll No. 42, referring communication from Richard J. Bartsch, 1424 Brookes Avenue, relative to permission granted to Gus E. Matchinske of the Day and Night Plumbing Company, for the building of one apartment above five garages at Albert Avenue and Brookes Avenue, reporting that two units are being constructed instead of one, for a report, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

to the City Manager

Communication from Eugene Heston, 4368 - 35th Street, urging introduction of flourine into water, and referring to studies made by him while a graduate student at U.C.L.A., was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said communication was ordered filed.

Communication from Richard L. Parsons, 2660 E Street, relative to a new source of water, and suggesting that the Council give it a "look", but which was not identified, was presented.

Councilman Wincote moved to file the letter, which motion was seconded by Councilman Schneider.

Councilman Kerrigan thought it would be well to look into the matter, whereupon the motion and second were withdrawn.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was referred to Councilman Kerrigan for report to the Council.

Statement of gross receipts from Union Oil Company of California, submitting payment in the sum of \$100.13, covering pipeline franchise, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said statement was ordered filed.

Communication from Western Area Housing Company, 1020 Ninth Avenue, San Diego 1, dated August 23, 1951, signed by Donald Scott, Managing Partner, submitting copy of letter addressed to the Board of Supervisors of San Diego County, stating that proposed location of the Juvenile Home adjacent to the Company's property would lower its value to the company, was presented.

The City Manager made a verbal report in which he told the Council that the City does not favor locating the Home upon City-owned property selected by the County for that purpose. He said that the City is willing to cooperate with the County in finding a suitable location, but that the City is not obligated to provide a site therefor.

On motion of Councilman Wincote, seconded by Councilman Swan, said communication was referred to the City Manager.

Communication from Pacific Indemnity Company, dated August 23, 1951, signed by J. M. MacConnell, reporting that claim of W. D. Buffat, 4528 Altadena Ave., San Diego, in the sum of \$10.00 for damage done to clothing by wire wrapped around street decorations projecting from a flagpole, had been settled by payment of said sum, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated August 23, 1951, signed by J. M. MacConnell, reporting that claim of Frank J. Eppich, on behalf of Kathryn G. Johnston, 3105 Marlborough Avenue, in the sum of \$450.00 for damage done to apartment at 3109-1/2 Marlborough Avenue, by a stopped-up main sewer which resulted in sewage backing up and flooding the same, had been settled by payment of the sum of \$360.07, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated August 23, 1951, signed by J. M. MacConnell, reporting that claim of Pacific Telephone & Telegraph Company, in the sum of \$225.00 (estimated) for damage to underground cable by a road grader owned by the Harbor Department in front of 2751 West Canon Street, had been settled by payment of \$155.31, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated August 23, 1951, signed by J. M. MacConnell, reporting on claim of Mrs. Katherine D. Whitacre, 3612 - 36th Street, (amount of claim not shown therein) for damage to her car by a City refuse collection truck, stating that it had been settled by payment of the sum of \$42.47, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said matter was ordered filed.

RESOLUTION NO. 103506, recorded on Microfilm Roll No. 42, directing notice of filing of the Street Superintendent's Assessment No. 2030 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alleys in Block L Plumosa Park, within the limits and as particularly described in Resolution of Intention No. 100470, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103507, recorded on Microfilm Roll No. 42, directing notice of filing of the Street Superintendent's Assessment No. 2031 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 175 San Diego Land and Town Company's Addition, and Sampson Street, within the limits and as particularly set forth in said Resolution of Intention No. 99505, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103508, recorded on Microfilm Roll No. 42, directing notice of filing of the Street Superintendent's Assessment No. 2032 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Wilbur Avenue, within the limits and as particularly described in Resolution of Intention No. 100896, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 103509, recorded on Microfilm Roll No. 42, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract, for the paving and otherwise improving of the Alley in Block 153 University Heights, within the limits and as particularly described in Resolution of Intention No. 102727, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

A written report from the City Engineer stated that the low bid was 8.8% below the estimate.

RESOLUTION NO. 103510, recorded on Microfilm Roll No. 42, approving plans, drawings, typical cross-sections, profiles and specifications for the construction of sewer mains in Balboa Avenue, Pasadena Avenue, Albuquerque Street, De Soto Street, Del Rey Street, Santa Fe Street, and Pacific Highway, and Public Rights of Way, approving Plat No. 2249 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, directing the City Clerk to file said plat upon the passage of the Resolution of Intention, in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 103511, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of 60th Street, within the limits and as particularly described in Resolution of Intention No. 103048, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 103512, recorded on Microfilm Roll No. 42, for the closing of the Alley in Block 7 of Lexington Park, more particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103513, recorded on Microfilm Roll No. 42, directing notice inviting sealed proposals for the furnishing of electric current together with the maintenance of appliances and other electrical equipment for the lighting of the street lamps located in Mission Beach Lighting District No. 1, for a period of one year from and including May 15, 1951, to and including May 14, 1952, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 103514, recorded on Microfilm Roll No. 42, for installation of sewer mains, connections, fittings and appurtenances, manholes and appurtenances, in Balboa Avenue, Pasadena Street, Albuquerque Street, DeSoto Street, Del Rey Street, Santa Fe Street, setting the hour of 10:00 o'clock A.M., on Tuesday, September 25, 1951, as a hearing thereon, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 103515, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of the Alley in Block 149 University Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 103516, recorded on Microfilm Roll No. 42, for the furnishing of electric current for the lighting of the ornamental street lights located in Five Points Lighting District Number One, for a period of one year from and including August 5, 1951, to and including August 4, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 103517, recorded on Microfilm Roll No. 42, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District Number Four, for a period of one year from and including August 1, 1951 to and including July 31, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 103518, recorded on Microfilm Roll No. 42, for the closing of Alvarado Street, within the limits set forth in said Resolution, finding that it is not necessary that any land be taken therefor, setting out the exterior boundaries of the district of lands to be affected and assessed to pay therefor, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103519, recorded on Microfilm Roll No. 42, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improving of paving and otherwise improving of Poplar Street, Manzanita Drive, Arbor Vitae Street, Columbine Street, Dahlia Street, Glenfield Street, Health Street, et al., within the limits and as particularly described in Resolution of Intention No. 102016, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103520, recorded on Microfilm Roll No. 42, granting petition contained in Document No. 437287 for the paving and otherwise improving of the Alley in Block 42 City Heights, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103521, recorded on Microfilm Roll No. 42, granting petition contained in Document No. 437288 for the paving and otherwise improving of the Alley east-erly of and contiguous to Block K University Heights, directing the City Engineer to fur-nish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed therefor, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103522, recorded on Microfilm Roll No. 42, granting petition for the paving and otherwise improving of Bancroft, contained in Document No. 431331, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Coun-cilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103523, recorded on Microfilm Roll No. 42, granting petition for the paving and otherwise improving of 50th Street, contained in Document No. 436462, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed therefor, was on motion of Councilman Wincote, seconded by Council-man Godfrey, adopted.

RESOLUTION NO. 103524, recorded on Microfilm Roll No. 42, granting petition contained in Document No. 436426 for the grading of Keating Street, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exter-ior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Wincote, sec-onded by Councilman Godfrey, adopted.

RESOLUTION NO. 103525, recorded on Microfilm Roll No. 42, granting petition contained in Document No. 437289, for the paving and otherwise improving of Landis Street, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed therefor, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103526, recorded on Microfilm Roll No. 42, granting petition contained in Document No. 437290 for the paving and otherwise improving of Olney Street, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103527, recorded on Microfilm Roll No. 42, granting petition contained in Document No. 437291 for the paving and otherwise improving of Tuplip Street, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed therefor, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103528, recorded on Microfilm Roll No. 42, adding to the rules and regulations provided for in Document No. 372875 filed in the office of the City Clerk pursuant to provisions of Peoples Ordinance No. 7691 and Ordinance No. 7791, provid-ing for the posting of a bond to insure performance of all rules governing the gathering, collecting or hauling garbage in The City of San Diego, the amount to be fixed at the dis-cretion of the Department of Public Health and approved by the City Attorney, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103529, recorded on Microfilm Roll No. 42, authorizing and directing the City Manager to do all the work necessary for the installation of connections to the existing water distribution system, in connection with the 54th Street 12-inch pipe line from El Cajon Boulevard to Orange Avenue, including section on Orange Avenue, and from Chollas Station Road to Euclid Avenue, by appropriate City forces, was on motion of Coun-cilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103530, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego, an ex-tension agreement with the Cleveland National Forest, extending a cooperative agreement entered into in 1945 and bearing Document No. 355824, as modified by Supplementary Agree-ment bearing Document No. 404660, providing for fire protection service in return for the

payment by The City of San Diego of a total of \$3240.00 per year in six monthly payments of \$540.00 each, said extension agreement to commence on the 1st day of July, 1951, and end on the 30th day of June, 1952, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103531, recorded on Microfilm Roll No. 42, authorizing and directing the City Manager to execute on behalf of The City of San Diego an agreement between said City and the County of San Diego for the maintenance of the Governmental Reference Library and the establishment of a technical statistical and research service for the fiscal year 1951-1952, in accordance with the terms and conditions found in Agreement on file in the office of the City Clerk as Document No. 437770, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103532, recorded on Microfilm Roll No. 42, waiving provisions of contract with the Guy F. Atkinson Company for construction of Sunset Cliffs Bridge requiring the contractor to comply with the Charter provisions as to an eight-hour day for employees and laborers upon such work and providing penalty of \$10.00 per day for unauthorized over-time work, and overtime penalty of \$168.85 for overtime work in connection with testing of piling in Pier 9, authorizing and directing the City Auditor and Comptroller to approve payment of and issue warrant to pay the contractor for said testing work in the sum of \$1774.38, the amount of the claim heretofore filed by the contractor for said extra work, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103533, recorded on Microfilm Roll No. 42, granting permission to the Commanding Officer, U.S. Naval Station, San Diego 36, to break out approximately 90 lineal feet of curb and adjoining sidewalk along the westerly side of 32nd Street and widen the existing driveway at Gate 44 on the west side of 32nd Street approximately 800 feet south of the south line of Main Street, approximately 50 feet to the north, so as to provide an overall driveway of 115 feet width, at 32nd Street between Main Street and Harbor Drive, adjacent to U.S. Government property, curb replacement and driveway installation to be in accordance with rules, regulations and ordinances of The City governing same, and accomplished by U.S. Naval Station Public Works forces, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103534, recorded on Microfilm Roll No. 42, approving and adopting the "following" rule made by the City Treasurer relating to licenses, in accordance with provisions of Section 18 Ordinance No. 2472 (New Series) relative to employees of the Fuller Brush Company with offices at Room 216, 625 Broadway, San Diego, California, relating to collection and remittance of City sales tax, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103535, recorded on Microfilm Roll No. 42, authorizing and directing the City Attorney to dismiss that certain action in Eminent Domain entitled "City vs. Bateman, et al", No. 166953, filed in the Superior Court of the State of California, in and for the County of San Diego, as to certain persons and real property more particularly set forth in said Resolution, because said real property has been acquired by The City, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.
Property referred to herein was for Montgomery Field.

RESOLUTION NO. 103536, recorded on Microfilm Roll No. 42, authorizing the Mayor and City Clerk to execute for and on behalf of, and as the act and deed of, The City of San Diego, a deed quitclaiming to Glenn LaVerne Heckerroth and Lois Helen Heckerroth, husband and wife, portions of Lots 9, 11, 12 and 13 Block 34 Lexington Park - more particularly set forth in said property - no longer needed by the City, authorizing and directing the Property Supervisor to deliver said deed to said grantees upon delivery to The City of San Diego of a deed by them granting to the City portion of Lot 10 said Block 34 needed to widen Poplar Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that The City desires to acquire portion of Lot 10 for widening of Poplar Street, that the owners of portion of said lot are willing to deed the same in exchange for portions of City-owned Lots 9, 11, 12, 13, that it appears from appraisals of the properties that the values are not disproportionate and that it will be for the best interests of the City to make said change.

RESOLUTION NO. 103537, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, a grant of easement for slope rights between The State of California, through the Director of Finance, and The City of San Diego, for establishing safe earth embankment slopes and appurtenances in portion of Lot 7 Marcellena Tract, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103538, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to enter into contract, for and on behalf of The City of San

Diego, with Anderson Homes, Inc., a corporation, subdivider of Hermosillo Manor Subdivision, providing for installation of water mains and appurtenances in said subdivision, and for reimbursement by the City to the subdivider of the sum of \$487.50 for 320 feet of 6-inch border main, upon execution and delivery to the City of a quitclaim deed conveying all right, title and interest of said subdivider in and to said water distribution system in said Subdivision, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103539, recorded on Microfilm Roll No. 42, accepting quitclaim deed, executed on the 16th day of July, 1951, by Anderson Homes, Inc., a corporation, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for the City's use located on public streets, rights of way, highways and public places, either within or without the subdivision named "Hermosillo Manor", authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103540, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to enter into contract, for and on behalf of The City of San Diego, with Blanche E. Rose, Marguerite B. Rose, Virginia R. Olmstead, W. James Rose, and George Clarke Rose, subdividers of that certain subdivision known as La Jolla del Norte, providing for installation of water mains and appurtenances in said subdivision, and for reimbursement by the City to the subdivider of the sum of \$150.00 for 100 feet of 8-inch border main upon execution and delivery to the City of a quitclaim deed conveying to said City all of the right, title and interest of the subdividers in and to the water distribution system in said La Jolla del Norte, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103541, recorded on Microfilm Roll No. 42, accepting quitclaim deed, executed on the 19th day of July, 1951, by Blanche E. Rose, Marguerite B. Rose, Virginia R. Olmstead, W. James Rose, and George Clarke Rose, quitclaiming to The City of San Diego all their right, title and interest in and to all water mains and appurtenant structures constructed for the use of the City located on public streets, rights of way, highways and public places, either within or without the subdivision named "La Jolla del Norte," as shown on Map No. 2701 filed in the office of the Recorder of San Diego County, authorizing and directing the City Clerk to file said deed, together with a certified copy of said Resolution, for record in the office of said County Recorder, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103542, recorded on Microfilm Roll No. 42, authorizing G. E. Courser, Chief of the Fire Department, to go to San Francisco for the purpose of attending the Annual Meeting of the California Fire Chiefs' Association, to be held October 15 to 17, 1951, during the League of California Cities Convention, and to go to Los Angeles, for the purpose of attending the regional meeting of the National Fire Protection Association, to be held October 29 and 30, 1951, authorizing the incurring of all expenses necessary in connection with said trips, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103543, recorded on Microfilm Roll No. 42, authorizing Wm. H. McKinley, Superintendent of the Electrical Division, Department of Public Works of the City, to attend the National Meeting of the International Municipal Signal Association to be held in San Francisco, September 17, 18, 19, 20, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 4909 (New Series), recorded on Microfilm Roll No. 42, amending Sections 2 and 13 of Ordinance No. 4849 (New Series) - the Annual Appropriations Ordinance - adopted July 3, 1951, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Said Ordinance was declared to take effect immediately upon its passage, in accordance with the provisions of Section 17 of the Charter of The City of San Diego.

ORDINANCE NO. 4910 (New Series), recorded on Microfilm Roll No. 42, fixing the rate (\$1.950 on each one hundred dollars valuation - for the Fiscal Year 1951-52 necessary to provide the amount of money to be raised by taxation upon the taxable property of The City of San Diego as a revenue to carry on the various departments of The City and to pay the bonded and other indebtedness thereof, as fixed and determined by Ordinance No. 4849 (New Series) adopted July 3, 1951, as amended by Ordinance No. 4909 (New Series)

adopted August 28, 1951, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Said Ordinance was declared to take effect and be in force immediately from and after its passage, in accordance with Section 5 of an Act of the Legislature approved March 27, 1859 the provisions of which were duly and regularly adopted by The City of San Diego by Ordinance No. 11066 approved May 10, 1927, requiring the Council to fix and levy the tax rate on or before the last Tuesday in August of each year, and by requirement of Section 75 of the Charter.

Accompanying Ordinance No. 4910 (New Series) was communication from the City Auditor and comptroller setting forth financial needs of The City, the anticipated tax delinquency to be used in computing the tax rate, and transmitting certified copy of the 1951-1952 valuation and taxable property from the County Auditor and Controller.

A proposed Ordinance incorporating all of Block 55 and unnamed Block known as "Park" in the Subdivision of Morena into "R-2" Zone and repealing Ordinance No. 13457 approved February 15, 1932, insofar as the same conflict, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Tuesday, September 11, 1951.

The City Manager requested, and was granted, unanimous consent to present the next two matters, not listed on the Council's agenda:

RESOLUTION NO. 103544, recorded on Microfilm Roll No. 42, expressing regret over the passing of Henry G. Fenton, who as a citizen of The City of San Diego was active in promoting not only the interests of the City as a City, but its inhabitants, and made unusual efforts to preserve for posterity the records of pioneer activity relating to advancement and development of the City and County, and helped those in need and the deserving, and at the loss of Mr. Fenton, extending to his family consolation, directing the City Clerk to forward a certified copy of said Resolution to the widow and daughter of Henry G. Fenton, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103545, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to enter into an agreement, for and on behalf of The City of San Diego, with The Union-Tribune Publishing Co., modifying contract heretofore entered into between said parties for the official advertising, by modifying and changing the rates to be paid by said City for official advertising, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

At this point the Mayor inquired if anyone was present in the Council Chambers who desired to be heard.

O. L. Wright, 2010 Birch Street, spoke. He read a letter addressed to Mrs. Anna Mattoon, signed by the Assistant City Manager regarding the resurfacing of Birch Street. He said that the street was in good condition when he bought his property, but that it had been torn up for installation of a water main. Now, he said, the street is "in bad shape". He asked for repairs, between Woden and 40th Streets, which had been promised last May by the Assistant City Manager, the letter having been dated February 3.

Councilman Dail told Mr. Wright that the City had leaned over backward in its promise to repair the street, inasmuch as the City does not ordinarily undertake the maintenance of streets improved simply by oiling.

The Mayor said that there has been terrific demand on the street department for maintenance work, and that may have been the reason the work agreed upon had not been done.

Councilman Wincote asked Mr. Wright to refer to the letter from which he had read, relative to its date and the promised date of repairs. Reference was made to last May, and not to next May, as Mr. Wincote thought might be the case.

RESOLUTION NO. 103546, recorded on Microfilm Roll No. 42, referring to the City Manager the verbal complaint made by O. L. Wright, 2010 Birch Street, relative to the condition of Birch Street between Woden and 40th Streets, torn up for installation of a water main, repairs to which had been promised in a letter from the Assistant City Manager addressed to Mrs. Anna Mattoon which letter was dated February 3, 1951, work thereon which was to have been done last May, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 10:43 o'clock A.M.

The Mayor announced that a Conference would follow adjournment.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstrom Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, August 30, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:02 o'clock A.M.

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

The Mayor announced that the first two hearings listed on the agenda - Robert L. Holladay appeal and Lloyd T. Penick appeal - would be continued until later in this meeting awaiting arrival of Councilmen Dail and Godfrey who had been detained.

By unanimous consent, the next matter was taken out of order.

A proposed Resolution honoring Miss Nera M. Judy, upon her retirement, was presented.

The Clerk read said proposed Resolution.

RESOLUTION NO. 103547, recorded on Microfilm Roll No. 42, commending Miss Nera M. Judy for her zeal and her selfless devotion during the past thirty-one years of service to the City in her office as Assistant Personnel Director, directing the City Clerk to forward a certified copy of said Resolution to Miss Judy, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The Mayor presented a scroll to Miss Judy, signed by himself and all members of the Council, after which he outlined her activities during her many years with the City. He then told of her interesting plans to go to South America, and to visit her brother there, her brother having at one time been with the City of San Diego also.

Miss Judy responded, and commended the members of the Civil Service Department's staff.

Resolution of Delegates to the International Association of Machinists, Silvergate Lodge, District No. 50, adopted August 27, 1951, petitioning and requesting that the President of the United States carry out the provisions of the Defense Production Act Amendments of 1951 and immediately recontrol rents in the City and County of San Diego, California, using as the base the period of May - June 1950 as required in the Act, and submitting the same to the Council and the Mayor, and to the County Board of Supervisors for concurrence, also citing reasons for such request, was presented.

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

Claim of N. B. Ramer, 3138 - 41st Street, for personal injuries to his son James who was struck in the mouth by a batted ball resulting in loss of 2 front permanent teeth, asking for \$170.00 dental bill payment and awarding a sum of money to James for the permanent injuries, was presented.

RESOLUTION NO. 103548, recorded on Microfilm Roll No. 42, referring claim of N. B. Ramer to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Claim of F. DeLauer, Jewett Hotel Operator, in the sum of \$115.56, for damage done as the result of a water main break which flooded the basement and destroyed personal property, was presented.

RESOLUTION NO. 103549, recorded on Microfilm Roll No. 42, referring claim of F. De Lauer to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Councilman Dail entered the meeting at this time.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing Revolvers and Short-barreled Shotguns for the Police Department, recommending awards to George F. Cake Company and to Federal Laboratories, Inc., the low bidders, was presented.

RESOLUTION NO. 103550, recorded on Microfilm Roll No. 42, accepting bid of Federal Laboratories, Inc., of Pittsburgh, Pennsylvania, for the furnishing of 10 Remington-Rand 12-gauge Repeating Shotguns with 20" barrels, awarding contract and directing the

City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103551, recorded on Microfilm Roll No. 42, accepting bid of George F. Cake Company, Los Angeles, California, for the furnishing of 40 Smith and Wesson 38 Calibre Police Revolvers for the Police Department, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for installation of a Sprinkling System, the preparation of the site and the planting of the lawn in Division No. 8 of Mount Hope Cemetery, recommending awards to Jack W. Brem and Moffitt & Waddington Irrigation Company, both of San Diego, was presented.

RESOLUTION NO. 103552, recorded on Microfilm Roll No. 42, accepting bid of Jack W. Brem, San Diego, for preparing site, planting and maintaining lawn under item 1 of proposal for installation of a sprinkling system, the preparation of the site and the planting of the lawn in Division No. 8 of Mount Hope Cemetery, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103553, recorded on Microfilm Roll No. 42, accepting bid of Moffitt & Waddington Irrigation Company, San Diego, for installation of the sprinkler system in Division No. 8 of Mount Hope Cemetery, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager, reporting in considerable detail on the communication from the McKinley Civic Association, signed by Robert J. McPherson, President, relative to the subject of fire hazards in the City canyons, and setting out the observations and suggestions made by the Fire Chief, endorsing the idea of planting ice plants after removal of canyon side brush, stating that several organizations have vigorously protested plans to burn off canyons which would result in destroying bird and animal life in the canyons, stating further that the Chief has met with the Association, and commenting that the Chief emphasizes that in his opinion the solution of the problem is largely a matter of public education and private cooperation especially by people on canyon brim property, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, the matter was ordered filed.

(A telephone call from the City Clerk's office to the City Manager's office revealed that a copy of the report is being mailed to the McKinley Civic Association by the Manager's office).

Communication from the City Manager, reporting on petition for improvements in 70th Street and Murray Dam Boulevard, signed by the Ed Fletcher Company and several other property owners, was presented.

The report states that the Major Street Plan includes Lake Murray Boulevard and 70th Street north of El Cajon Boulevard as streets (major), 80-foot street as requested, that immediate plans do not include work because the City boundary intersects 70th Street 2 blocks north of El Cajon Boulevard and 1 block south of El Cajon, that the greater part of the petitioned improvements would be on County roads outside City jurisdiction, and that petitioners have been notified that the City will give all possible cooperation on plan for improvement of major streets.

On motion of Councilman Wincote, seconded by Councilman Schneider, said matter was ordered filed.

RESOLUTION NO. 103554, recorded on Microfilm Roll No. 42, granting request of Wilbur-Ellis Co. for reduction of price to be paid to The City of San Diego for un-pelletized sludge for the period from August 1 to August 31, 1951, from \$7.00 per ton to \$5.00 per ton - the nitrogen content in the sewage sludge now being 1.75%, instead of 3% as formerly - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Accompanying the Resolution was detailed report from the City Manager on the request, and recommending action be taken by the City Council, inasmuch as it was deemed reasonable.

Communication from the City Manager reporting on communications from Earl A. Brenneman, Mrs. F. R. Beeler, and several others, relative to the proposed ordinance regulating dogs, was presented.

Attached was a copy of his reply to each stating that a new and more rigid ordinance will be ready for submission to the Council next month, and that hearings will be held thereon.

On motion of Councilman Schneider, seconded by Councilman Dail, said matter was ordered filed.

Communication from the County Clerk submitting copy of letter addressed to the Board of Supervisors from Mrs. Anna C. McConnell, President, First District Auxiliary, Veterans of Foreign Wars, 1430 Froude St., San Diego, offering to present a flag for the flagpole to be erected at the information booth in the Plaza, was presented.

On motion of Councilman Wincote, seconded by Councilman Swan, the matter was referred to the City Manager.

Communication from Ninth District, Inc., California Congress of Parents and Teachers, Horace Mann School, San Diego 3, signed by Mrs. G. D. Edwards, President, Mrs. E. K. Barteau, Director of Health, reporting that at the March 15th meeting of the State Board of Managers of the California Congress of Parents and Teachers, the State Board voted to give support in principal to any program concerning fluoridation of water supplies endorsed by the American Dental Society, State Dental Association of Southern California and local Association, was presented.

On motion of Councilman Wincote, seconded by Councilman Dail, the communication was referred to the City Manager.

Communication from the Pacific Indemnity Company, dated August 24, 1951, signed by J. M. MacConnell, stating that claim of Beatrice A. Masten, 230 Bon Air Street, La Jolla, in the sum of \$5,000.00, for personal injuries sustained through stepping into a hole in an alley, was presented; had been closed without payment.

RESOLUTION NO. 103555, recorded on Microfilm Roll No. 42, denying claim of Beatrice A. Masten, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Pacific Indemnity Company, dated August 24, 1951, signed by J. M. MacConnell, reporting on claim of Hazel W. Hassell (Mrs. C. J.), 2684 Jonquil Drive, San Diego 6, for personal injuries sustained in fall on a sidewalk, stating that the case had been closed without payment, was presented.

RESOLUTION NO. 103556, recorded on Microfilm Roll No. 42, denying claim of Hazel W. Hassell, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Pacific Indemnity Company, dated August 28, 1951, signed by J. M. MacConnell, reporting that claim of Maurice Holtzman, in the sum of \$4.21, for damage to automobile by a Refuse Department truck, had been closed by payment of said sum, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated August 28, 1951, signed by J. M. MacConnell, reporting on claim of Elizabeth McCann, in the sum of \$38.50, for personal property damage resulting from overflowed sewer, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said matter was ordered filed.

Case was closed by payment of said amount.

Communication from Pacific Indemnity Company, dated August 28, 1951, signed by J. M. MacConnell, reporting on claim of Fannie Jessop Sherman, in the sum of \$23.70, for damage done to clothing as a result of becoming stuck in wet hot tar while crossing a street, and stating that the case had been closed by payment of said amount, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said matter was ordered filed.

RESOLUTION NO. 103557, recorded on Microfilm Roll No. 42, granting permission to Langley Corporation, 660 Second Avenue, San Diego (Thomas H. Lowery Plumbing Co., 1082 South 43rd Street, San Diego 13) to omit encasing the last 475 feet of combination acid and tile soil line, measured from a point where sewer line enters City sewer at a certain manhole, at construction of Langley Corporation's new plant at Euclid Avenue and Naranja Street, San Diego, subject to approval of San Diego Health Department and of the City Manager, on conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103558, recorded on Microfilm Roll No. 42, accepting quitclaim deed of Vera S. Greusel, bearing date August 10, 1951, quitclaiming portion of Lots "F" and "G" Block 188 Mission Beach, authorizing and directing the City Clerk to file said quitclaim deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103559, recorded on Microfilm Roll No. 42, accepting deed of Raymond B. Talbot as Tax Collector of the County of San Diego, executed in favor of The City of San Diego, bearing date July 31, 1951, conveying Lot 14 Block 128 City Heights, Lots 22, 23 and 24 Block 135 City Heights, and Lots 3 and 4 Block 110 Partition of Pueblo Lot 1168, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103560, recorded on Microfilm Roll No. 42, accepting deed of Raymond Talbot, Tax Collector of the County of San Diego, executed in favor of The City of San Diego, bearing date July 31, 1951, conveying Lots 45 to 48 inclusive Block 462 W. G. Werth's Addition, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103561, recorded on Microfilm Roll No. 42, accepting deed of Ruth H. Anderson, as trustee under the last will and testament of Alice E. Harper, deceased, executed in favor of The City of San Diego, bearing date July 24, 1951, conveying portions of Lots 11 to 14 inclusive Block 45 La Jolla Park, setting aside and dedicating the same to the public use as and for a public street, and naming the same Torrey Pines Road, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103562, recorded on Microfilm Roll No. 42, accepting deed of Wendell B. Marquardt and Eleanor E. Marquardt, bearing date August 16, 1951, conveying a portion of Pueblo Lot 1286, setting aside and dedicating the same to the public use as and for a public street, and naming the same Torrey Pines Road, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103563, recorded on Microfilm Roll No. 42, accepting deed of Marie Billings, bearing date August 16, 1951, conveying portions of Lots 4, 5 and 6 Block 88 San Diego Homestead Union, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabash Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103564, recorded on Microfilm Roll No. 42, accepting deed of Angelo Laurino and Santina Laurino, bearing date August 11, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 3 Block 205 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103565, recorded on Microfilm Roll No. 42, accepting deed of Albert G. Soule and Nettie M. Soule, bearing date July 23, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 71 Block 4 First Addition to Pacific Beach Vista Tract, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103566, recorded on Microfilm Roll No. 42, accepting deed of Union Title and Trust Company, bearing date August 2, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 67 Rancho Mission of San Diego, according to Partition Map filed in the Office of the County Clerk in Action No. 348 in the Superior Court, entitled "Juan M. Luco, et al vs. The Commercial Bank of San Diego, et al", authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103567, recorded on Microfilm Roll No. 42, accepting deed of San Diego College of Women, a corporation, bearing date July 3, 1951, conveying an easement and right of way for water main purposes in portion of Pueblo Lot 294, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

ORDINANCE NO. 4911 (New Series), recorded on Microfilm Roll No. 42, establishing the grade of the Alley in Block 180 University Heights, between a line produced south at right angles to the north line of said Alley and distant 660.70 feet west from the intersection of the north line of said Alley with the southwesterly line of Lincoln Avenue and the east line of Vermont Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays---Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 4912 (New Series), recorded on Microfilm Roll No. 42, establishing the grade of Alcott Street, between the northwesterly line of Chatsworth Boulevard and the northeasterly prolongation of the northwesterly line of Palermo Drive, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 4913 (New Series), recorded on Microfilm Roll No. 42, establishing the grade of Palermo Drive, between the northeasterly line of Zola Street and the southwesterly line of Alcott Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

At the hour of 10:12 o'clock A.M., the Mayor declared a recess, to await the arrival of Councilman Godfrey, so that a full Council might be present to act upon the two zone variance matters continued temporarily from the beginning of this meeting.

Upon reconvening, at the hour of 10:25 o'clock A.M., the roll call showed the following:

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

RESOLUTION NO. 103568, recorded on Microfilm Roll No. 42, sustaining the appeal of Robert L. Holladay from the decision of the Zoning Committee in denying by its Resolution No. 5744 application No. 9584 for variance to the provisions of Ordinance No. 1947 (New Series) to erect and maintain a retail store to permit sale of dairy products, ice cream, poultry, eggs and farm products and to erect buildings incidental thereto, on a portion of Pueblo Lot 1112 described in detail in said Resolution, known as 619 to 631 Camino Del Rio (Mission Valley) in Zone R-1A, and overruling said decision, on conditions set forth in said Resolution, and buildings to be located approximately as shown on plat plan bearing Document No. 437843 on file in the office of the City Clerk and not closer than 50 feet from the public street or highway, and chicken pens and/or runs to be entirely removed and chicken processing to be located not less than 350 feet south of Camino Del Rio, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Prior to adoption of said Resolution, the City Planning Director made a brief verbal report in which he told the Council that a conference had been held and that the details contained in the Resolution had been worked out.

The Resolution, as proposed, was read to the Council by the Clerk.

Councilman Wincote moved to adopt the Resolution, as drawn, which motion was seconded by Councilman Schneider.

Before the roll was called, Councilman Swan asked about the paving of the corrals which had been referred to previously at other hearings, by the appellant.

The Planning Director answered Mr. Swan by saying that the Health Department will make whatever health requirements are necessary, and that it was felt that various items not actually dealing with the variance should not be included in the Resolution.

Councilman Godfrey questioned the matter of killing and processing of chickens. He said that he understood that would be dispensed with, in order to reduce the nuisance caused by flies.

Mr. Holladay replied that it had been agreed to remove the chicken pens and runs, but not the processing building. He said that all the processing would be done indoors, and that there would be no flies therefrom.

The roll was called on the Resolution - being No. 103568 - changes in which had been made by the City Attorney just before its presentation to the Council. The roll call was as follows: Yeas--Councilmen Swan, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilman Kerrigan. Absent--Councilmen None.

RESOLUTION NO. 103569, recorded on Microfilm Roll No. 42, sustaining the appeal of Lloyd T. Penick from the decision of the Zoning Committee in denying by its Resolution No. 5739 application No. 9652 for variance to the provisions of Ordinance No. 12795 to permit construction and operation of a contractor's yard in Lots 1 through 5 Block 2 Broderick and West Addition at 34th and Pickwick Streets, in Zone R-4, and overruling said Committee decision, upon the several conditions contained in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Prior to adoption of said Resolution, Councilman Swan referred to a written protest which had been received from Dr. Isabella Fleming, 4344 Altadena Avenue, on file in the office of the City Clerk, stating that granting thereof would constitute a traffic hazard and that granting of the variance would cut property values in two.

The Planning Director said that traffic safety was not a consideration in the matter, so far as the Zoning Committee and Planning Commission were concerned. He reminded the Council that both the Committee and the Commission had denied requests for rezoning and for the subsequent zone variance which had been referred to the Commission by the Council. He said that he felt the traffic situation would be no worse for the granting of the variance. He said, also, that in certain instances the Commission does consider the traffic situation, where the question arises.

Mr. Penick spoke, and told the Council that protests had been withdrawn.

W. E. Starke, representing Mr. Penick, who had addressed the Council at the several previous hearings on the subject, spoke again. He answered questions about the Shaffer protest which had been made verbally before the Council last week.

Councilman Kerrigan asked Mr. Starke if any further objections exist.

Mr. Starke replied objections have been withdrawn, and contended that conditions would be improved by the granting of the variance, rather than a detriment resulting from construction of the contractor's yard under the variance.

The City Attorney requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

RESOLUTION NO. 103570, recorded on Microfilm Roll No. 42, granting request of Levenson & Levenson for an additional extension of time of 30 days from and after the 29th day of August, 1951, in which to complete contract for codification of all of the general ordinances of The City of San Diego, and which said contract is contained in Document No. 425091 on file in the office of the City Clerk, time for completion as extended to be the 28th day of September, 1951 (although the Resolution does not so state, there has been previous extension), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Prior to adoption of said Resolution, the City Attorney told the Council that there had been a personnel problem in the office of the law firm of Levenson & Levenson, delaying completion of work under the contract. Also, he said that the job had developed into a considerably larger one than had at first been supposed.

The following items were listed at the end of the Council's agenda, as having been referred to the City Manager by the City Clerk, to expedite handling:

Communication from the Chairman, Sub-Committee on Aviation, requesting information on use of State Funds for Aviation purposes, etc. (from the State Legislature);

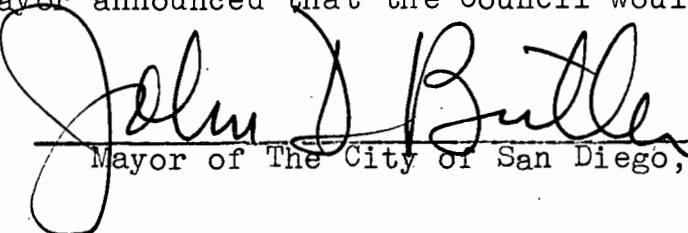
Five communications from various individuals relative to regulations on the keeping of dogs and/or cats;

Communication from Mrs. M. C. Read, opposing smoking in street cars;

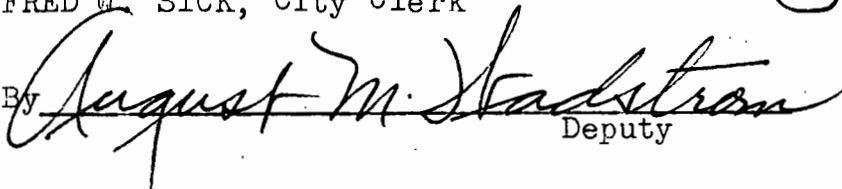
R. W. Reed's postal card dealing with various subjects, mainly the burning of weeds on lots, and opposing legislation on the point.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Wincote, seconded by Councilman Dail, at the hour of 10:55 o'clock A.M.

Upon adjournment, the Mayor announced that the Council would go into Conference.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, September 4, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:04 o'clock A.M.

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

The Minutes of the Regular Meetings of Tuesday, August 28, 1951, and of Thursday, August 30, 1951, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Swan, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the time set for hearing on the paving and otherwise improving of 33rd Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 103207, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Kerrigan, seconded by Councilman Swan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

(This subject came up again at the end of the meeting, without action).

Councilman Dail entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, being the time set for hearing on the paving and otherwise improving of La Jolla Hermosa Avenue, within the limits and as particularly described in Resolution of Intention No. 103208, the Clerk reported that written protests had been received from Rose Elizabeth Rafferty, and from Arthur B. Kebeck, Jr. and others, which protests were presented to the Council by the Clerk.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

The following persons were heard, verbally:

Arthur B. Kebeck, Jr. spoke. He said that the written protest, which was to the effect that improvement would result in an inequitable or unfair assessment regarding the extent of benefit that will be derived by those signing that protest upon which his name appears as the first signer. Although Mr. Kebeck said he realized that the protestants on his side of the street are in "no bargaining position", he proceeded to express his views in the same manner as during previous hearings on the same proposed improvement. He said that property on the east side of the street will increase in value by the proposed improvement, but that there will be none on the west side.

Mrs. Henry M. Morgan said that there will be no benefit to her property by the improvement, and that she "resented" the assessment.

The City Engineer, asked for a report by the Mayor, told the Council that the tentative assessment figure being considered is on a basis of 40% on the west side of the street, 60% on the east side.

The Mayor said that he felt that the Engineer's proposal is a fair one.

Mr. Kebeck wondered if the City would investigate proceedings, and institute the same, for the closing of a portion of the street under discussion in order to put the wall now on the public street upon private property, and to contribute to cost of such proceedings.

The City Engineer said that the closing, if made, should follow the 1911 Act proceedings as a separate action, and that it does not correctly belong to hearing being conducted.

Councilman Schneider moved, which motion was seconded, that it is the intention of the Council to transfer property, by closing, after the paving is done.

Before the roll was called the following discussion took place:

The City Engineer said that the wall is of no value to the street, and pointed out that removal or closing to place on private property is not a part of the proceedings.

The Mayor said that the closing would have to follow the law, and be based on petition of property owners.

RESOLUTION NO. 103571, recorded on Microfilm Roll No. 42, declaring it to be the intention of the Council to transfer property upon which a wall is located, on La Jolla Hermosa Avenue, to the adjoining privately-owned property, by a closing, after the work of paving and otherwise improving is completed, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Councilman Schneider moved to overrule the protests, which motion was seconded by Councilman Dail,

Before the roll was called the following discussion took place:

Mrs. Laurence G. Lawson, owner of property on the east side of the street, told the Council that the proposed 60% - 40% plan would not be fair.

The Mayor pointed out that the hearing being held was not on the assessment, which hearing would be conducted after the work is completed and the assessment levied by the Street Superintendent.

The City Attorney answered a question put by Mr. Kebeck, to the effect that property owners on the west side of La Jolla Hermosa Avenue do have actual frontage on the street (despite the fact that the wall exists in the street between the proposed improvement and the privately-owned property. He explained the assessment levy, as he had previously. He pointed that this was not the time to make the determination on the formula to be used for the assessment.

Asked by Councilman Schneider on the figures on his land value assessment, Mr. Kebeck did not have them, but knew the amount of his taxes. That point was not revealed, since it would not answer Mr. Schneider's question.

Councilman Dail said that the Council is going further than the 1911 Act contemplates, in discussing the formula for future assessment, prior to its being made and filed. He said that the formula is to be worked out by the Street Superintendent, and that he does not have to reveal his basis for levying the assessment, also that the assessment cannot be attacked except in court.

The City Attorney said, again, that the Street Superintendent is to make the assessment after the work is done.

The roll was called on the motion, resulting in

RESOLUTION NO. 103572, recorded on Microfilm Roll No. 42, overruling and denying the protests of Rose Elizabeth Rafferty, Arthur B. Kebeck, Jr., Mrs. Henry M. Morgan, against the paving and otherwise improving of La Jolla Hermosa Avenue, within the limits and as particularly described in Resolution of Intention No. 103208, overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, being the time set for hearing on the paving and otherwise improving of Beardsley Street and 22nd Street, within the limits and as particularly described in Resolution of Intention No. 103209, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Schneider, seconded by Councilman Wincote, said proceedings were referred to the City Attorney.

The hour of 10:00 o'clock A.M. having arrived, being the time set for hearing on the paving and otherwise improving of Coronado Avenue, Del Mar Avenue and Orchard Avenue, within the limits and as particularly described in Resolution of Intention No. 103210, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Schneider, seconded by Councilman Swan, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2027, made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 33 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 97345, the Clerk reported that a written appeal had been received from Bert Bowers and Emma Bowers, which appeal was presented to the Council by the Clerk.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Mrs. Emma Bowers spoke about the exorbitant charge made for the improvement. She told the Council that the property had been injured, rather than benefited by the paving, in that use of 1 garage had been lost. She said that they had paid \$110.00 to the contractor for driveway approach. She said that they should have fixed the garages, and access from the alley so that they had all become usable. Mrs. Bowers told the Council, during the discussion that the alley grade had been lowered.

Councilman Kerrigan pointed out that the garages had been built to the wrong grade by the previous owners (Mr. and Mrs. Bowers are new owners) - otherwise they would be able to use them.

Mr. Bowers said that there had been about a 4-foot grade cut.

The City Engineer questioned the statement, stating that his records do not show any such cuts.

Mrs. Bowers told the Council that it would cost between \$1200. and \$1500. to lower the floors of the garages to make them accessible from the alley.

It was felt by the Engineer and various members of the Council that the hearing should be continued, in order to make an investigation into the matter of the grade, and report back.

RESOLUTION NO. 103573, recorded on Microfilm Roll No. 42, continuing the

hearing on the Street Superintendent's Assessment No. 2027, for the paving and otherwise improving of the Alley in Block 33 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 97345, until the hour of 10:00 o'clock A.M., on Tuesday, September 11, 1951, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2026, made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 6 City Heights Annex No. 2, and the Alley in Block 2 City Heights Annex No. 2, and the Alley in Block 11 City Heights Annex No. 1, the Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 103574, recorded on Microfilm Roll No. 42, confirming and approving the Street Superintendent's Assessment No. 2026 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 6 City Heights Annex No. 2, and the Alley in Block 2 City Heights Annex No. 2, and Block 11 City Heights Annex No. 1, within the limits and as particularly described in Resolution of Intention No. 97343, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and directing him to record said warrant, diagram and assessment in his office, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 103575, recorded on Microfilm Roll No. 42, confirming and adopting as a whole the "Engineer's Report and Assessment for College Park Lighting District No. 1, filed in the office of the City Clerk July 27, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Applications of Julius Kahn and Earl I. Brodie, for Dine & Dance License and for Cabaret License at "Aloha", 1048 - 3rd Avenue, were presented, together with recommendations for approval from the interested City departments,

RESOLUTION NO. 103576, recorded on Microfilm Roll No. 42, granting application of Julius and Earl I. Brodie, 1048 - 3rd Avenue, for a Class A license to conduct public dance at Aloha Cocktail Bar, at said address, 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.

RESOLUTION NO. 103577, recorded on Microfilm Roll No. 42, granting application of Julius Kahn and Earl I. Brodie to conduct cabaret with paid entertainment at Aloha Cocktail Bar, 1048 - 3rd Avenue, where liquor is sold and dancing conducted, subject to the regular license fee, and to compliance with existing regulations, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Applications of Fred A. Halleman, 2720 Midway Drive, for Dine & Dance License and for Cabaret License at The Cotton Patch, 2720 Midway Drive, were presented, together with recommendations for approval from the interested City departments,

RESOLUTION NO. 103578, recorded on Microfilm Roll No. 42, granting application of Fred A. Halleman, 2720 Midway Drive, for Class A license to conduct public dance at The Cotton Patch, at said address, 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.

RESOLUTION NO. 103579, recorded on Microfilm Roll No. 42, granting application to Fred A. Halleman to conduct cabaret with paid entertainment at The Cotton Patch, 2720 Midway Drive, where liquor is sold and dancing is conducted, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communications from various City departments, bearing the Acting City Manager's stamp of approval, recommending approval of the application of the Welfare Foundation of the Lions Club of San Diego, sponsor, to hold a circus (Barnum & Bailey Circus and Sideshow) on September 8 and 9, 1951, at Frontier and Enterprise Streets, for benefit of the blind, stating that license fee has been paid and that \$500.00 cleanup guarantee is on deposit, was presented.

RESOLUTION NO. 103580, recorded on Microfilm Roll No. 42, authorizing the Welfare Foundation of the Lions Club of San Diego to hold a circus (Barnum & Bailey Circus and Sideshow) on September 8 and 9, 1951, at Frontier and Enterprise Streets, for benefit of the blind, provided that said circus shall be conducted in accordance with all rules, regulations and ordinances of the City of San Diego, and shall meet with the approval of the Building and Electrical Inspection Departments, the Fire Marshal and the Health Department of said City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Karl F. Jaeger, 1925 K Street, San Diego, in the sum of \$100.00, for damages to top of automobile by overhanging trees in a parkway, was presented.

RESOLUTION NO. 103581, recorded on Microfilm Roll No. 42, referring claim of Karl F. Jaeger to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, bearing the Acting City Manager's stamp of approval, reporting on bids for furnishing of Jointer and Band Saw, recommending awards to Craft Shop of San Diego, low bidder for Jointer, and to Gould Hardware & Machinery Company, low bidder for Band Saw (5 bids from 4 bidders), was presented.

RESOLUTION NO. 103582, recorded on Microfilm Roll No. 42, accepting bid of Gould Hardware & Machinery Company for the furnishing of one 36" L. Power & Company band saw, awarding contract and directing the City Manager to execute the same, directing the City Clerk to return all bid checks submitted with the exception of checks submitted by the low and second low bidder, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103583, recorded on Microfilm Roll No. 42, accepting bid of The Craft Shop for the furnishing of one 12" Crescent jointer, including rear knife guard, steel lips, magnetic switch and exhaust hood, awarding contract and directing the City Manager to execute the same, directing the City Clerk to return all bid checks submitted with the exception of checks submitted by the low and second low bidder, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Water Department Director, bearing the Assistant City Manager's stamp of approval, reporting on bids for construction of 54th Street 12" Asbestos Cement Pipe Line, opened by the Councilman recommending award to Charles J. Dorfman, the low bidder - 7 bids received - was presented.

RESOLUTION NO. 103584, recorded on Microfilm Roll No. 42, accepting bid of Charles J. Dorfman for installation of the 54th Street 12-inch Asbestos Cement Pipe Line, awarding contract therefor, directing the City Manager to execute the same for and on behalf of The City of San Diego, upon execution by said Charles J. Dorfman of said contract, and upon execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, bearing the Acting City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing Fire Hose with Couplings for the Fire Department, was presented.

RESOLUTION NO. 103585, recorded on Microfilm Roll No. 42, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Fire Hose with Couplings, in accordance with specifications bearing Document No. 437903, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the Acting City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing one Hydraulic Cylinder for operation of Hydraulic Gate, for the Sewage Treatment Plant, was presented.

RESOLUTION NO. 103586, recorded on Microfilm Roll No. 42, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing one Hydraulic Cylinder for operation of Hydraulic Gate, for The Sewage Treatment Plant, in accordance with specifications bearing Document No. 437906, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager announcing his appointment of Mr. Paul Rayburn, Jr., to complete the unexpired term of Mr. Herbert Sponholz on the City Recreation Commission, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, said communication was ordered filed. (It needed no confirmation).

Communication from the Street Superintendent, bearing the Assistant City Manager's stamp of approval, and Acting City Manager's stamp of approval, recommending granting the City's petition for the closing of the west 18 feet of Idaho Street, between El Cajon Boulevard and Polk Avenue closed, and a portion of the intersection of Polk Avenue and Idaho Street (in connection with reservoir being constructed on adjacent City-owned property), was presented.

RESOLUTION NO. 103587, recorded on Microfilm Roll No. 42, granting petition for closing of the west 18 feet of Idaho Street, between El Cajon Boulevard and Polk Avenue (closed), and a portion of the intersection of Polk Avenue and Idaho Street, directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from The Metropolitan Water District of Southern California, 306 West Third Street, Los Angeles 13, dated August 27, 1951, signed by A. L. Gram, Executive Secretary, submitting tabulation showing assessed value of each member area as of August 17, 1951, and proportion each bears to the total, and the number of votes to which each is entitled, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said

communication was referred to the City Manager.

Communication from property owners living on Wildwood Road, objecting to use of property at 3802 Dixon Place, being a single-family residence occupied as multiple-family (3) dwelling), was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was referred to the Planning Commission.

RESOLUTION ORDERING WORK NO. 103588, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of the Alley in Block 2 Subdivision of Lots 7 to 17, inclusive, Block N Teralta, within the limits and as particularly described in Resolution of Intention No. 103135, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 103589, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of Brant Street and Washington Street, within the limits and as particularly described in Resolution of Intention No. 103136, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 103590, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of Niagara Avenue and Catalina Boulevard, within the limits and as particularly described in Resolution of Intention No. 103137, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 103591, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of Thorn Street and 45th Street, within the limits and as particularly described in Resolution of Intention No. 103134, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103592, recorded on Microfilm Roll No. 42, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Loma Portal Lighting District No. 1, for a period of one year from and including June 28, 1951, to and including June 27, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103593, recorded on Microfilm Roll No. 42, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 1, for a period of one year from and including June 15, 1951, to and including June 14, 1952, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103594, recorded on Microfilm Roll No. 42, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 2, for a period of one year from and including July 1, 1951, to and including June 30, 1952, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103595, recorded on Microfilm Roll No. 42, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alleys in Block 69 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 101713, and to be assessed to pay the expenses thereof, directing the City Clerk at the same time as said approval, to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103596, recorded on Microfilm Roll No. 42, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 175 University Heights, within limits and as particularly described in Resolution of Intention No. 101859, and to be assessed to pay the expenses thereof, directing the City Clerk at the same time as said approval, to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103597, recorded on Microfilm Roll No. 42, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of 51st Street, within the limits and as particularly described in Resolution of Intention No. 101047, and to be assessed to pay the expenses thereof, directing the City Clerk at the same time as said approval, to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103598, recorded on Microfilm Roll No. 42, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Oliver Avenue and Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 101715, and to be assessed to pay the expenses thereof, directing the City Clerk at the same time as said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103599, recorded on Microfilm Roll No. 42, granting petition contained in Document No. 431839 for the paving and otherwise improving of Locust Street, as more particularly described in said Resolution, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, directing the City Engineer to consolidate the assessment district with the assessment district heretofore ordered by Resolution No. 99818 for the improvement of Locust Street, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103600, recorded on Microfilm Roll No. 42, electing, pursuant to the provisions of Section 11.1 of the County Water Authority Act, and agreeing to serve to all water consumers residing in territories more particularly described in said Resolution, water from the water supply of The City of San Diego, directing the City Clerk to transmit certified copy of said Resolution to the Board of Directors of said Water Authority, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

(Briefly stated, territory to be served is: City-owned land in vicinity of Murray Lake, annexed 7/29/49; Odom-Cosgrove Tract, annexed 12/3/49; Metropolitan Center, under Ordinances Nos. 11770; La Mesa Colony, La Mesa Colony No. 2 and No. 3, under Ordinances Nos. 11776, 11786, 12362, ~~12362~~; Narragansett Heights, under Ordinance No. 13126).

RESOLUTION NO. 103601, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, a cooperative agreement between the County of San Diego and The City, providing for sharing of expenses of certain functions and employees in the Health Department, a copy of which agreement is contained in Document No. 437971 on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103602, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to enter into a contract for and on behalf of The City of San Diego with Walter Glover and Clara Glover, husband and wife of Dulzura Summit, whereby contractors will operate cookhouse, serve meals and clean up crew quarters for construction workers on Dulzura Conduit, in accordance with terms and conditions set forth in contract on file in the office of the City Clerk as Document No. 437972, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103603, recorded on Microfilm Roll No. 42, approving Change Order No. 1 dated May 18, 1951, heretofore filed with the City Clerk as Document No. 437914, issued in connection with contract between The City of San Diego and Chas. J. Dorfman for construction of the Ocean Beach Storm Drain, which contract is contained in Document No. 429250 on file in the office of the City Clerk, amounting to an increase in contract price of approximately \$361.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103604, recorded on Microfilm Roll No. 42, authorizing and directing the Purchasing Agent to advertise for sale and sell house located at 1205 18th Street, no longer needed for City purchase, which land is required by the Public Works Department for expansion of yard facilities, all expenses to be deducted from proceeds from the sale, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103605, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with the lowering of Fairmount Avenue, between Home Avenue and 47th Street, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103606, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with the salvaging or abandonment of 650 feet of three-inch W.I., and 20 feet of six-inch C. I. pipe, and the installation of 670 feet of eight-inch water main in 50th Street, from University Avenue to Wightman Street, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103607, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with the salvaging or abandonment of approximately 1050 feet of two-inch W.I. pipe and the installation of 1050 feet of six-inch water main in Winston Drive, from Roswell Street to Hilltop Drive, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103608, recorded on Microfilm Roll No. 42, granting permission to William T. Carroll, 4396 Maryland Street, pursuant to the provisions of Section 32 of Ordinance No. 11648 (Plumbing Ordinance) to install an 8-inch cast iron and vitrified clay sewer line between the property line and the sidewalk, to be placed 2 feet outside the property line and run in a southerly direction parallel to the easterly lines of Lots 16, 17 and 18 Block 13 Loma Alta No. 1 Subdivision, to point of intersection with public sewer, to serve property at 2114-16 Catalina Boulevard, to conform to City standard specifications on a .4% grade - wyes to be provided for connection of Lots 16 and 17 to the line, subject to approval of the San Diego Health Department and of the City Manager, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103609, recorded on Microfilm Roll No. 42, granting permission to Mrs. Mary E. Clark and Aimee Jackson Allen, pursuant to the provisions of Section 32 of Ordinance No. 11648 (Plumbing Ordinance) to install a four-inch community cast iron sewer line 1-1/2 feet inside the property line and to run 170.0 feet in an easterly direction, parallel to the northerly line of Lots 5 and 10 Block "C" Garden Grove Subdivision, to point of intersection with public sewer in 47th Street, to serve properties at 927 and 935 Cotton Street, to run on properties of Aimee Jackson Allen and Chollas View Methodist Church, subject to approval of the San Diego Health Department and of the City Manager upon conditions set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103610, recorded on Microfilm Roll No. 42, granting permission to R. Smart, 4419 Ohio Street, pursuant to the provisions of Section 32 of Ordinance No. 11648 (Plumbing Ordinance) to install a soil line to serve a residence designated as 639 Silvergate Avenue, with a fall of 1/8 inch per foot, inasmuch as construction is on a lot that falls away from the street, and will not permit compliance with City ordinance, subject to approval of the City Manager and the Department of Public Health, and on conditions set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

At this time the Mayor inquired if any one was present who desired to be heard upon any matter.

Mr. Mitchell (first name or initials not given or asked for by the Chairman), a resident on South 33rd Street, spoke. He made reference to the first item on today's agenda, being the hearing under Resolution of Intention No. 103207 for the paving of 33rd Street and Public Right of Way, upon which there had been no protests and which had been referred to the City Attorney for the next Resolution. Mr. Mitchell referred to an easement between the property and the street, referring to it as "no man's land". He said that the curb is already in, and felt that it should be closed or returned to adjoining property owners.

An unidentified woman arose and said that the curb line is some 25 feet from the fronts of the houses.

The Assistant City Manager (Acting City Manager) said that any closing request should not be tied into the improvement assessment proceedings, but that if a closing is desired it should be considered at the completion of the improvement project.

No action was taken, other than to refer Mr. Mitchell to the offices of the City Attorney and City Engineer for procedure to be followed in the event he wishes to go forward with a plan for closing portion of the street.

A proposed Ordinance appropriating the sum of \$100,000.00 from the Capital Outlay Fund for the purpose of providing funds for the widening of Sixth Avenue, from Pennsylvania Street to University Avenue, and expenses incident thereto, was presented.

There was some discussion, in which members of the Council wondered if the entire picture had been gone into, including the prohibiting parking on the east side of the street, thereby lessening congestion.

The Acting City Manager said he felt it might be well to continue the

matter for a week, to permit further study to the problem.

On motion of Councilman Schneider, seconded by Councilman Dail, said proposed Ordinance was continued for one week - to the meeting of Tuesday, September 11.

ORDINANCE NO. 4914 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$19,000.00 from the Capital Outlay Fund for the purpose of providing funds for installation of sprinkler system, preparation of site, and planting of lawn in Division 8 of Mount Hope Cemetery, was on motion of Councilman Kerrigan, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Dail, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Proposed Ordinance appropriating \$7,709.00 from the Unappropriated Balance for purpose of providing additional funds required as part of the total contribution of The City of San Diego to the operation of the City-County Camp Commission, was presented.

Councilman Wincote said that he had had a question regarding the amount of funds for the purpose intended, and that it had been answered by the Assistant to the City Manager.

Others thought, that in as much as Mr. Wincote had questioned the matter, it might well be continued for a week.

Mr. Wincote said he had no further question, and that he was satisfied. Nevertheless, the matter was continued until the meeting of Tuesday, September 11, on motion of Councilman Dail, seconded by Councilman Schneider.

Proposed Ordinance establishing a masonry wall heights limit of 62 inches above the adjacent sidewalk along the front property line of Lots 10 through 16 Block 4, Lots 8 through 14 Block 6 and Lots 9 and 10 Block 7 Hermosa Terrace, along portion of La Jolla Boulevard, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., of Tuesday, September 18, 1951.

A motion was made and seconded to adjourn the meeting, to be followed by Council conference in the Council Chamber.

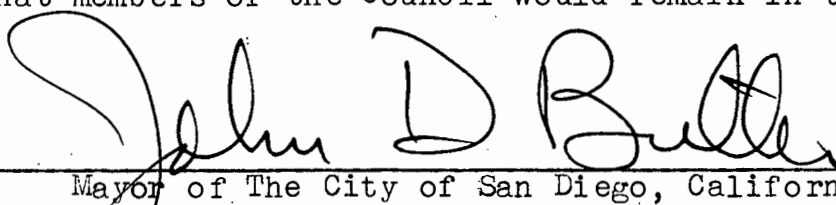
Before the roll was called, the Mayor told the Council that he will have an appointment to the Civil Service next week, for Council confirmation. It is to be Miss Madge Bradley, an attorney.

No action was taken, the statement being made for Council information.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Kerrigan, at the hour of 10:50 o'clock A.M.

The Mayor announced that members of the Council would remain in the Council Chamber for Conference.

ATTEST:
FRED W. SICK, City Clerk


Mayor of The City of San Diego, California.

By 
Deputy.

REGULAR MEETING

A Regular Meeting of the Council of The City of San Diego,
California, Thursday, September 6, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:09 o'clock A.M.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeals of Mr. and Mrs. John R. Lyons, the Southcrest Civic Club and fifteen property owners from the decision of the Zoning Committee in granting an extension of two years to Resolution No. 5444 dated April 4, 1951, to Lester Loesser, as a zone variance, to use Lots 26 through 36 Block 1 Leebrick's Addition, for storage of used automobiles, at 39th & "Z" Streets, in Zone R-4, which present variance extension expires, report from the Senior Planning Technician explaining the Committee's action in granting extension, was presented and read.

Thereupon, the Mayor invited interested affected property owners to be heard.

John R. Lyons, 4144 Alpha Street, spoke. He said he has 3 properties overlooking the site of the auto storage yard. He said that although he and other property owners protest the Loesser operation, no objection is being made to the nearby Yesterlaid Eggs plant.

The Mayor asked Morey Levenson, Mr. Loesser's attorney, to see photographs of the area. Mr. Levenson presented them, and they were passed around for the Council's perusal.

Mr. Lyons spoke of the City's Southcrest Park and the investment made there by the City and by the Southcrest Civic Club. He said that the site is not in a blighted area, and that the automobile storage yard has no place there. He referred to St. Jude's Church, and to the Sherman-Gray development in the area. He regretted that Father Di Cristina and Mr. Gray of the Sherman-Gray Company were not present. Both, Mr. Lyons said object to the operation. He said that there had been a considerable investment by Alpha Street property owners, and that they are trying to keep an excellent residential area. He re-iterated that they are not protesting the Fleischman Yesterlaid plant.

The Mayor made a statement regarding the City's position relative to the use of property by its owners and rights and interests of nearby owners.

Mr. Lyons said that protestants had had no opportunity to appear before the Zoning Committee when its latest action was taken, and that no hearing had been held. He spoke of the several properties which overlook the yard, and that its existence is a detriment to their values.

The Mayor then referred to the variance extension granted on the Loesser and Fleischman properties.

Mr. Lyons contended that there is no relationship between the operations of the two.

The Mayor asked about a solid fence possibly removing some of the objections.

Mr. Lyons replied that a high solid fence would not remove the objection, because other sites look down into the yard, despite its being enclosed. Mr. Lyons said he and others had learned, only through devious means, of the variance granted.

At this point Glenn A. Rick, City Planning Director, spoke. He said that it was he who had notified Mr. Lyons of the action, knowing of his interest in the matter. He spoke of the matter being brought up before the Zoning Committee through Council action making request therefor, in the latter part of August.

Councilman Wincote spoke regarding the Yesterlaid Egg operation. He contended that it exists as a "zone use".

Mr. Lyons pleaded with the Council not to continue the zone uses found to be objectionable.

Mr. Wincote said that zone variances are "given right along", that this case is no exception.

Mr. Rick explained the procedure of variance to zoning regulations, and told of requirements to secure variances.

Councilman Schneider asked if variance would have been granted to Loesser if Yesterlaid Eggs were not there.

Mr. Rick replied that he could not speak for the Committee, but told the Council of Mr. Loesser's past actions. He said he felt that the Committee had made its decision on account of existing use. The area, he said, is primarily residential.

Councilman Godfrey asked about a "hardship" situation (being a consideration for granting of a variance) of Mr. Loesser.

Mr. Rick reviewed the Loesser zone variance history. He said that it had been extended to 2 years from expiration of variance with extensions.

Councilman Godfrey spoke about the possibility of continued operation.

Mr. Rick said that it is his personal opinion that Mr. Loesser should be required to remove, but that had not been the action of the Zoning Committee.

Mr. Godfrey said that the 2 variances (Yesterlaid Eggs and Loesser) should not be tied together.

Mr. Rick said that the district wants the area to remain R-4.

Councilman Swan said he was surprised at the Zoning Committee's action.

Mr. Dail said that the Committee had been guided by Council desire, expressed at previous hearings.

Mr. Wincote asked if the Yesterlaid Egg variance extension was for 2 years.

Mr. Rick's reply was that the Committee had extended the variance for 5 years. He said that he had hoped that the Council would want the residential use of property.

Mr. Dail said that the history of variances is that they are not terminated when they should be. Instead, he said, there are usually extensions, and that at times operations resulting from variances have had to be taken to court for abatement.

Mrs. Jack Hoberg, speaking for the Southcrest Civic Club, read a written statement in opposition to the Loesser operation, and other similar uses, over the signature of the Club's president. She identified herself as treasurer of the Club. Mrs. Hoberg told the Council that she had looked over the area before purchasing her property at 43rd and Alpha Streets. She said that the places there are well kept and owner-occupied homes, in the most instances. She then spoke of the land purchased by the City from the U.S. Government, after its abandonment as a trailer park, for use as a Park. She said it had been developed, and that a \$40,000.00 Club house had been built at no cost to the City. Mrs. Hoberg told of having looked at Mr. Loesser's operation at 16th Street and Imperial Avenue. She said she does not want "such a junk yard." She said she thinks the Yesterlaid Eggs plant should probably be eliminated, eventually.

Councilman Wincote said that there had been expense to the City for the Park, and that the proponents of establishing it had maintained that it would cost the City nothing.

Councilman Dail disagreed with Mr. Wincote's statement relative to expense-free park.

The Mayor said that the point being discussed by Mr. Dail and Mr. Wincote were not pertinent to the question.

Father DiCristina, to whom Mr. Lyons referred, appeared. He identified himself as the pastor of St. Jude's Shrine, a parish of working people. He said he had been asked by Parish people that he represent them. He said that he therefore represented about 1,000 families. Father DiCristina said that the Park has reduced delinquency in the area. He said that the people of the district feel a deep disgust and chagrin over the junk yard. He pleaded with the Council not to turn the neighborhood back to what it had been before, and asked that the City help the neighborhood. Get the junk out of the area, he said. He said that he and the people of the area are deeply opposed to the yard.

At this time Morey Levenson, attorney, representing Lester Loesser, spoke. He disagreed with the report of Mr. Rick. He told the history of the variance, from his recollection. He said that a hearing had been directed to be held by the Planning Commission, on Council direction, for zone change in the area. He said that notices of the hearing had not been given to Mr. and Mrs. Loesser. He said that it is not a junk yard, as declared by some property owners, that there is no junking operation at the yard, and that it is merely a storage yard. Mr. Levenson said it was raw land when acquired by the Loessers, and that it is substantially the same now. Mr. Levenson said that Mr. Loesser has to have storage facilities to operate in conjunction with the junking and salvaging of autos at another address. He said that it is hard to dispose of junk cars, on account of the storage problem. He said that Mr. Loesser cannot find more than one M-2 parcel of land for suitable use by him, and that it is exorbitant in price. Mr. Levenson said that salvaged iron is needed for national defense. He said that none of the protestants resides within 200 feet of the Loesser yard. Mr. Lyons, he said, is 2 blocks away, and Mrs. Hoberg 8 blocks away. Mr. Levenson referred to other "old properties" in the area, which he declared to be unsightly.

Asked when the photographs, exhibited to the Council had been taken, Mr. Levenson said in January of this year, and that condition of the property is substantially now as when the pictures were made.

Mr. Lyons and Mrs. Hoberg asked to see the pictures which Mr. Levenson had produced. They were given to them.

Mr. Loesser arose, and said that the pictures had been taken earlier than Mr. Levenson had indicated.

Mr. Levenson said that the "Park" is not there. Land and shrubs are there, he said, but contended that there is no park. Also, he said that it is not surrounded by a good residential area. He said that if as a basis for protest surrounding area is considered, reference should be made to the Yesterlaid operations. He said that Yesterlaid is not consummate with the desired residential area. He said that he and his client have the right to suspect the motives of protestants when the Loesser operation is objected to, but not others. He said that Mr. Loesser is continuing to look for another location. He said, also, that the Loessers would be better off, financially, to sell the property for residential use.

The Mayor replied to Mr. Levenson that the burden is on the individual seeking the variance, and not to consider the motives of the protestants. The person seeking a zone variance has to meet the requirements of the ordinance. He added that he felt that one has the right to raise an eyebrow when protest is not made on the other use (reference being made to Yesterlaid eggs).

Councilman Schneider referred to the use of the Yesterlaid property, and said that it is an accommodation to neighbors.

Mr. Rick corrected Mr. Levenson, at this time, reading from the record of the Planning Commission. He said Mr. Levenson was in error regarding notices of hearing on zone change hearing. He said that there had been publication and posting.

The Mayor and Mr. Wincote said that Mr. Levenson was correct in that Mr. and Mrs. Loesser had not received personal notice of hearing, inasmuch as they do not reside on the property.

Lester Loesser spoke. He said that the entire trouble had been started by the Yesterlaid Eggs operator. Also, he said, that a Playground Supervisor had circulated a protest against his operation.

The Mayor said that despite the fact that the Playground Supervisor is a City employee he still retains his rights as a citizen, and would not be precluded from leading a protest.

P. Q. Burton, of the Planning Department, told of his investigation, in

response to Mr. Loesser's charge that he had been out on the property seeking protestants. Mr. Burton said he was on the site with Mr. Fleischmann, seeking information on alleged junk storage yards. He said he had no part in canvassing for or against Mr. Loesser's interests.

Mr. Loesser said that Mr. Reed, owner of 24 lots, is in favor of his operation, making 48 lots not opposed. He told of hoodlums in the neighborhood. He said that the playground referred to in the Park is a hangout for delinquents, and said that boys congregate there and raid cars, etc. He said, also, that he cannot find other adequate property for his use. He said that he moves the cars from the yard at the rate of about 10 per week, and that he sells the scrap therefrom immediately. Mr. Loesser told the Council that he has acquired 2 more acres, and that he wants to convert all of it to residential use.

Councilman Wincote questioned the difference in time of extensions.

Mr. Loesser said that he will not apply for another extension at the end of 2 years, in answer to question asked by Mr. Wincote of Mr. Levenson. (Mr. Levenson said Mr. Loesser should answer the question).

Mr. Dail said that the Council should say that this is the last extension which would be granted to Mr. Loesser. However, he said that there may be a new Council, which could not be bound by action taken by present members.

Mr. Loesser said that he is trying to get property closer to his present operation.

Mr. Levenson said that there would be no objection to filing of a statement to the effect that no extension request will be made.

Mr. Dail said that time will be needed to desist from the operation, and wondered about the 6 months from June, 1951.

Father DiCrestina said that would be fair.

Mr. Lyons said that in his opinion such an extension would be generous, but that he would agree.

Mr. Dail said that would then be up to December 31, 1951.

Mr. Rick said that action on the Yesterlaid Eggs is final, and that there had been no protest.

Councilman Dail moved to sustain the appeal, grant an extension of 6 months from June 30, 1951 (to December 31, 1951), and overrule the Zoning Committee decision. The motion was not seconded.

Councilman Godfrey said that he thinks that would be cutting the time down too far from the 2-year extension granted by the Zoning Committee.

Mr. Rick told of the Committee's action regarding the time, and said that it had been influenced by existence of the fence and by expenses incurred by Mr. Loesser.

Councilman Swan seconded Councilman Godfrey's motion.

Councilman Wincote said that both operations (Loessers and Yesterlaid Eggs) are bad.

Asked about the date upon which action had been taken by the Committee for extensions on both variances, Mr. Rick said both had been on the same date - August 22, 1951.

Mr. Wincote said that pressure groups should not influence actions of the Council.

Mr. Dail said that property owners of the district have the right to protest.

Mr. Godfrey thought that the short time on the variance extension to December 31, 1951, would be unfair and not reasonable.

Mr. Levenson said that Mr. Loesser cannot solve the problem in the next 4 months.

Mr. Rick said that 10 days had been given in October, 1950, to remove the operations,

Mr. Levenson said that the entire matter had been referred back for change, both to expire at the same time.

Mr. Godfrey reiterated his opinion that the short time for Mr. Loesser is too drastic.

J. F. DuPaul, City Attorney, suggested clearing the floor. Then, he said, the Council should decide on the length of time to be given on the variance extension, to be followed by action to overrule the Committee. He said that action to sustain the appeal and determine time for removal from the premises under the same motion might result in the motion being lost inasmuch as it takes 5 votes to overrule the Committee.

Councilman Dail moved an amendment to provide for 6 months from last June 30 as the date for removal time, which motion was seconded by Councilman Swan.

The Mayor thought the Committee should be overruled first, then determination be made on the time for removal.

Councilman Schneider moved another amendment for setting June 30, 1952, as the time to clear the area.

Father DiCristina asked that the time be made 6 months from today.

Councilman Dail withdrew his original motion and amendment.

Councilman Schneider moved to discontinue use as of June 30, 1952, the property to be closed for any use other than R-4.

Councilman Dail told of another similar use which had to go to court for action.

Councilman Godfrey wanted an agreement to provide for termination at the end of the June 30, 1952 variance extension.

Mr. Loesser said he would agree, in writing, to clear the property by that date.

It was then proposed to continue the variance to June 30, 1952, with a written agreement from Mr. Loesser to be filed within one week from today.

The City Attorney said the Council can carry through by overruling, then setting the time for removal of the yard, subject to filing of an agreement approved by the City Attorney.

RESOLUTION NO. 103611, recorded on Microfilm Roll No. 42, overruling the action of the Zoning Committee in granting variance to the provisions of Ordinance No. 13216 to Lester Loesser, being an extension of two years to its Resolution No. 5444 dated April 4, 1951, for use of Lots 26 through 36 Block LeeBrick's Addition for storage of used automobiles provided that no sales or wrecking is conducted, at 39th and "Z" Streets, in Zone R-4, which would have made the expiration date June 30, 1953; granting an extension, instead, to June 30, 1952 for continued use of the property, provided that Mr. Loesser

within one week submits to the City Clerk and City Attorney a written agreement to terminate use of said property for other than R-4 as of June 30, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted. All members present voted in favor of the Resolution.

Councilman Wincote went into the matter of the Yesterlaid Eggs variance again, at the close of the Loesser hearing. He said he wondered if the management of Yesterlaid Eggs (W. H. Fleischmann) could not be required to file an agreement to desist operation under his extended variance at the end of his 5 year term.

Again it was pointed out that the variance extension granting was final, but individual members of the Council indicated that they would favor a request to Mr. Fleischmann that he terminate his operations.

Discussion led to the following action:

RESOLUTION NO. 103612, recorded on Microfilm Roll No. 42, requesting W. H. Fleischmann, manager of Yesterlaid Eggs, 3892 Z Street, to cease operations at the end of the 5-year extension granted him by the Zoning Committee Resolution adopted August 22, 1951 was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Joe M. Riggs and Allen J. Riggs Jr. from the decision of the Zoning Committee in denying their request for variance to permit use of portion of Lot 70 Rancho Ex-Mission Lands, Horton's Purchase, as place for temporary storage of buildings in process of being moved to permanent locations, on the north side of Fisher Street, 691.68 feet west of 47th Street, the Planning Director was asked by the Mayor to make a report.

The Planning Director reported, verbally, along the lines of the written report in the files of the City Clerk from the Senior Planning Technician, but said report was not read by the Clerk.

Thereupon, the Mayor inquired if anyone was present who desired to be heard.

Joe M. Riggs spoke. He said his brother is a housemover, and that they need a spot to place buildings for a few days, as a convenience. Also, he said, that it is necessary to get the buildings off the streets.

Leslie Black spoke against the proposal, which he termed a "junk yard". He told the Council that as a patriotic gesture, a junk yard had been permitted to be started, and now they can't get rid of it. He said that Fisher Street is impassable in wet weather. He said that he was the first purchaser and builder in the rural area, and that residents there are short on public improvements. He said that after fifteen years, he is just now getting a water meter. Mr. Black told the Council that establishment of the storage yard would damage his property, whereas property owners of the district are attempting to improve theirs.

Mr. Riggs spoke again. He answered a question from the Mayor as to whether he and his brother own any other land which could be used for the purpose applied for, he replied that they do not. He said, further, that he does not want to press the issue to the point where antagonism would result.

RESOLUTION NO. 103613, recorded on Microfilm Roll No. 42, overruling and denying the appeal of Joe M. Riggs and Allen J. Riggs, Jr., from the decision of the Zoning Committee in denying application No. 9704 by its Resolution No. 5801, application for variance to the provisions of Ordinance No. 78 New Series, for permission to use portion of Lot 70 Rancho Ex-Mission Lands, Horton's Purchase, as a place for temporary storage of buildings in process of being moved to permanent location, being on the north side of Fisher Street 691.68 feet west of 47th Street, in Zone R-4 (legal description being on file in the Planning Department Office), sustaining said Zoning Committee action, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Petition of Mrs. Clara Louise Merrick, 724 San Luis Rey Place, San Diego 8, for six months' extension of time for doing the building authorized under Zone Variance Resolution No. 101911 on Lot "Q" Block 15 Mission Beach, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said petition was referred to the Planning Commission.

Petition of Solon S. Kipp and W. E. Starke, by W. E. Starke, 1130 Bank of America Building, on behalf of Lloyd T. Penick, making application to purchase portions of City-owned Lots 6, 7 and 8 in Block 2 Broderick and West's Addition, southerly and southwesterly of the southerly and southwesterly line of Wabash Freeway, offering the sum of \$150.00 therefor, was presented. A certified check in the amount of \$60.00 accompanied the petition.

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

Claim of Harrison G. Sloane, attorney at law, Bank of America Building, Suite 1230, in behalf of Ryan Aeronautical Co. claim for refund of overpayment of taxes by Ryan Aeronautical Co., was presented.

RESOLUTION NO. 103614, recorded on Microfilm Roll No. 42, referring claim of Harrison G. Sloan, on behalf of Ryan Aeronautical Company, for refund of overpayment of taxes upon tidelands leased by the Ryan Aeronautical Company from the City of San Diego, to the City Attorney, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Claim of Mrs. Ernest F. Von Dreden, 4792 Arizona Street, San Diego 16,

in the sum of \$42.53, for damage to house by backed-up sewage, was presented.

RESOLUTION NO. 103615, recorded on Microfilm Roll No. 42, referring claim of Mrs. Ernest F. VonDreden to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Claim of B. J. Elander, D.V.M., 3821 Arizona Street, in the sum of \$4.39, for pane of glass broken while City workmen were repairing water line in the street, resulting in piece of pipe striking and breaking the window, was presented.

RESOLUTION NO. 103616, recorded on Microfilm Roll No. 42, referring claim of B. J. Elander, by Roberta M. Underhill, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Claim of Andrew Kupfernagel, 4119 Broadway, San Diego 2, in the sum of \$30.00, for damage done to his yard, drive and olive tree by a City trash truck, was presented.

RESOLUTION NO. 103617, recorded on Microfilm Roll No. 42, referring claim of Andrew Kupfernagel, 4119 Broadway, San Diego 2, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Claim of Avonella S. Lee, 1322 Grove Street, in behalf of Elisabeth Anne Lee, in the sum of \$148.30; for personal injury resulting from fall in hole on a sidewalk, was presented.

RESOLUTION NO. 103618, recorded on Microfilm Roll No. 42, referring claim of Mrs. Avonella S. Lee, on behalf of her daughter, Elisabeth Anne Lee, a minor, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Claim of Robert James Saunders, 3137 Marlborough Avenue, San Diego 5, in the sum of \$9.04, for personal injuries sustained through burns incurred while fighting canyon fire (Redwood and Central Sts. area) July 6, 1951, was presented.

RESOLUTION NO. 103619, recorded on Microfilm Roll No. 42, referring claim of Robert James Saunders to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Claim of C. F. Truitt, 4712 Arizona Street, in the sum of \$60.00, for property damage resulting from back up of City sewer, was presented.

RESOLUTION NO. 103620, recorded on Microfilm Roll No. 42, referring claim of C. F. Truitt to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103621, recorded on Microfilm Roll No. 42, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of a sewer across the northerly approach of the proposed Morena Boulevard Bridge, under Document No. 438029, authorizing the Purchasing Agent to publish notice calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission, signed by the Asst. Planning Director, recommending granting suspension to 4 sections of the Subdivision Ordinance in connection with the Tentative Map of the subdivision of portion of Pueblo Lot 1281, at the northeast corner of Fay Avenue and Genter Street, was presented.

RESOLUTION NO. 103622, recorded on Microfilm Roll No. 42, suspending Sections 3E5, 4A8 and 6, 5C of the Subdivision Ordinance in connection with the Tentative Map of a portion of Pueblo Lot 1281, at the northeast corner of Fay Avenue and Genter Street, also relating to Final Map thereof, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

At this time Councilman Dail requested, and was granted unanimous consent for consideration of the next matter, not listed on the Council's agenda:

Lee Hamilton, who did not give his address, or identify the subject upon which he wished to be heard, said that he would need more than the few minutes remaining before noon to present a matter to the Council.

The Mayor asked Mr. Hamilton, whose matter had apparently been discussed in Conference, if he would be willing to return next Thursday - the matter apparently having been informally set for hearing without the Clerk's being informed, at this meeting.

Mr. Hamilton was invited, without motion or second, to appear again next Thursday - September 13 - at the hour of 11:00 o'clock A.M. to present his matter.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of Tentative Map for subdivision of portion of Pueblo Lot 1281 into 8 lots, at the northeast corner of Fay Avenue and Genter Street, subject to 2 conditions, was presented.

RESOLUTION NO. 103623, recorded on Microfilm Roll No. 42, approving Tentative Map of subdivision of portion of Pueblo Lot 1281, consisting of 8 lots, subject to conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending modification of setbacks to permit a 7-foot setback on Olympic Place and 28th Street, with 5-foot setback on turnarounds in lieu of the 12-foot setbacks originally specified in Resolution No. 101775, paragraph 9, which Resolution approved Tentative Map of Belleview Heights Unit No. 6, was presented.

RESOLUTION NO. 103624, recorded on Microfilm Roll No. 42, amending Resolution No. 101775, approving the Tentative Map of Belleview Heights Unit No. 6, insofar as condition number 9 is concerned, relative to setbacks on Olympic Place and 58th Street, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending denial of petition for the rezoning of Lots J, K and a portion of L of La Mesa Colony, on the southerly side of Amherst Street, between 68th and 70th Streets, from the existing R-1 Zone to Zone R-2, was presented.

RESOLUTION NO. 103637, recorded on Microfilm Roll No. 42, adopting recommendation of the City Planning Commission for denial of petition for the rezoning of Lots J, K and a portion of L of La Mesa Colony, on the southerly side of Amherst Street, between 68th and 70th Streets, from the Existing R-1 Zone to Zone R-2, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Commission, reporting on petition of Joseph Avoyer for change in the name of Ruiz Street, in the recently-filed La Jolla Cliffs Subdivision, to Poole Street, was presented.

Said communication recommends granting the change, concurred in by various City departments, inasmuch as property owners have found the name to be difficult to pronounce and understand over the telephone, was

On motion of Councilman Wincote, seconded by Councilman Schneider, the matter was referred to the City Attorney for preparation of the necessary Ordinance to change the name of Ruiz Street in La Jolla Cliffs Subdivision to Poole Street.

Communication from Central P.T.A. requesting operation of traffic signals at Central and University Avenues during hours when children are going to and from school, stating that letters have been written to the Mayor, to Councilman George Kerrigan, and to Safety Division of the Police Department, and now appealing to the Council, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, said communication was referred to the City Manager.

Communication from Council of Chambers of Commerce and Civic Clubs, 3755 7th Avenue, dated August 30, 1951, signed by Mary H. Carver, Executive Secretary, was presented, suggesting bus franchise be limited to 15 years.

On motion of Councilman Schneider, seconded by Councilman Dail, said communication was referred to the "Transit" file.

Communication from Peter W. Kaiser, 4522 Norwood Street, San Diego 15, protesting use of fluorine in drinking water, was presented.

On motion of Councilman Swan, seconded by Councilman Dail, said communication was ordered filed.

Communication from "Mustangs", The Association of Naval Officers From the Ranks, San Diego Post No. 7, 2036 Orizaba Avenue, San Diego 3, signed by F. T. Whiffen, Secretary, dated August 31, 1951, stating that the Association's members are making every effort to wisely and efficiently use such water as needed, and that in contact with friends endeavor is made to acquaint them with the criticalness of the situation, asking for advice or suggestions to enable them to further the aim, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was referred to the City Manager.

RESOLUTION NO. 103625, recorded on Microfilm Roll No. 42, designating area as "Trailer Park District" on drawing marked No. B442 contained in Document No. 437387 filed in the office of the City Clerk on August 17, 1951, northwest of the cloverleaf intersection of Federal Boulevard and Wabash Boulevard, declaring and establishing as a trailer park district in which trailer parks may be constructed and operated when and if a Zoning Variance and Resolution of Property Use issued by the Zoning Committee or the City Council, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103626, recorded on Microfilm Roll No. 42, authorizing and

directing the Property Supervisor to advertise for at least 5 days in the official newspaper the sale at public auction of portion of Pueblo Lot 1288, being a parcel of land approximately 100 feet by 150 together with house thereon, known as 2509 Ardath Road, La Jolla, stating that the same is no longer needed for City purposes, that the City has caused an appraisal to be made by a qualified real estate appraiser and the market value thereof determined to be \$17,500.00, that the minimum amount the Council will consider for sale is \$17,500.00, reserving the right to reject any and all bids, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103627, recorded on Microfilm Roll No. 42, accepting subordination agreement, executed by Mildred A. Fletcher, beneficiary and Southern Title and Trust Company, trustee, bearing date May 9, 1951, wherein said parties subordinate all their right, title and interest in and to portions of Lots 5, 6 and 7 Block 294 Pacific Beach, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103628, recorded on Microfilm Roll No. 42, accepting subordination agreement, executed by The San Diego Trust and Savings Bank, beneficiary and The San Diego Trust and Savings Bank, trustee, bearing date April 27, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 1, 2 and 3 Block 294 Pacific Beach, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103629, recorded on Microfilm Roll No. 42, accepting deed of Ignacio Munoz and Kate Munoz, bearing date August 9, 1951, conveying portions of Lot 2 Block 380 Old San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard, authorizing and directing the City Clerk to transmit said, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103630, recorded on Microfilm Roll No. 42, accepting deed of Guy H. Berridge and Alberta T. Berridge, bearing date August 10, 1951, conveying an easement and right of way for street purposes in portion of Lots 1 and 2 Block 294 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103631, recorded on Microfilm Roll No. 42, accepting deed of Margaret M. Clark and Ralph I. Clark, bearing date August 10, 1951, conveying an easement and right of way for street purposes in a portion of Lots 5, 6 and 7 Block 294 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103632, recorded on Microfilm Roll No. 42, accepting deed of Stanley Picard, bearing date August 10, 1951, conveying an easement and right of way for street purposes in portion of Lots 1, 2 and 3 Block 294 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103633, recorded on Microfilm Roll No. 42, accepting deed of Ralph Reese and Julie E. Reese, bearing date August 10, 1951, conveying an easement and right of way for street purposes in portion of Lots 2 and 3 Block 294 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

ORDINANCE NO. 4915 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$1,000.00 from the Sewer Extension Facilities 1951 Bond Fund, for the purpose of providing funds for the installation of a section of the Mission Valley Trunk Sewer through the Mission Valley Flood Channel, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote,

Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

Mayor Butler requested, and was granted, unanimous consent, to present the next matter of business, not listed on the Council's agenda:

Communication from Mayor John D. Butler, submitting the name of Miss Madge Bradley for approval of his appointment to the Civil Service Commission, to fill the vacancy created by resignation of Miss Marie Herney, was presented.

RESOLUTION NO. 103634, recorded on Microfilm Roll No. 42, approving and confirming appointment by the Mayor of Madge Bradley as a member of the Civil Service Commission of the City of San Diego, for a term of five years, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

The Acting City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

RESOLUTION NO. 103635, recorded on Microfilm Roll No. 42, accepting bid of A. F. Andersen for installation of rest rooms at the Santa Clara Point Restaurant, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The City Attorney requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

The City Attorney handed to the Mayor an Ordinance regulating the sale of Airplane Tickets, which matter he explained.

Councilman Dail moved to place the Ordinance on its final reading, which motion did not receive a second at this time.

Before a second could be made, the Mayor said that the County of San Diego is adopting an Ordinance on the subject, and felt that the City should see what the District Attorney is incorporating into that Ordinance.

The matter was continued, without motion, to an unset date, and the original of the proposed Ordinance was not filed with the Clerk.

Councilman Dail requested ~~requested~~, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

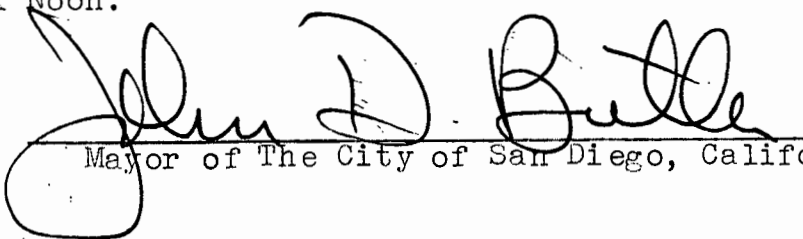
Mr. Dail spoke about the liquor store being operated at 1962 - 54th Street, despite the fact that the application of O. D. Arnold and Ethel Arnold for zone variance to permit such business on a portion of Lot 17 Rancho Mission, had been denied by the Zoning Committee, and that appeal on the same matter had been denied by the City Council at hearing thereon which was held August 14, 1951.

There was brief discussion, in which the belief was expressed that the Mayor should get in touch with the Board of Equalization regarding the license which had been issued without clearing through the City on zoning (R-C Zone, in which the property is located, prohibits sale of liquor).

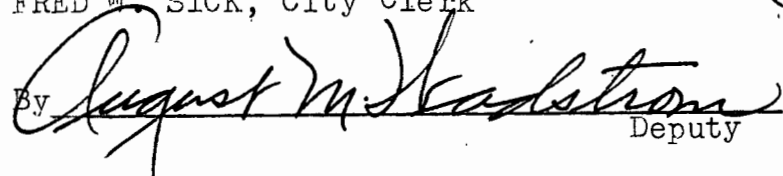
RESOLUTION NO. 103636, recorded on Microfilm Roll No. 42, authorizing Mayor John D. Butler to contact the State Board of Equalization and request that the license heretofore granted for sale of liquor at 1962 - 54th Street (packaged goods only) on a portion of Lot 17 Rancho Mission, which had been granted on property in R-C Zone where liquor sales are specifically prohibited by City Ordinance, zone variance for which was denied by Zoning Committee Resolution No. 5697 adopted July 25, 1951, and appeal of O. D. Arnold and Ethel Arnold which had been denied by Council Resolution No. 103336 adopted by the City Council August 14, 1951, ^{be} ~~on~~ ^{revoked} on the grounds that such sales of liquor are in zone violation - was on motion of Councilman Schneider, seconded by Councilman Kerrigan adopted.

RESOLUTION NO. 103637 (will be found on page 37) of these minutes.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Schneider, at the hour of 12:10 o'clock Noon.


 Mayor of The City of San Diego, California

(ATTEST):
 FRED W. SICK, City Clerk

By 
 Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, September 11, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

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

The Minutes of the Regular Meetings of Tuesday, September 4, 1951, and of Thursday, September 6, 1951, were presented to the Council by the Clerk.

On motion of Councilman Kerrigan, seconded by Councilman Swan, said Minutes were approved without reading, after which they were signed by the Mayor.

Before any action on the agenda was considered, Mayor Butler announced that Florence Chadwick had "made the Channel", amid cheers from those assembled in the Council Chambers.

At this time Mayor Butler awarded service emblems to the following employees, each of whom had had 25 years of service with the City:

Mrs. Gladys E. McNary, Assistant Librarian, first employed September 23, 1926;

Mrs. Nona J. Goodwin, Custodian at the Plaza Comfort Station, commenced with the Public Buildings Division of the Public Works Department on September 7, 1926;
Vernon D. Pitts, Construction Inspector in the Public Health Department, employed first on September 13, 1926.

Councilman Dail entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Dodson Street, within the limits and as particularly described in Resolution of Intention No. 102943, the Clerk reported that four bids had been received, which bids were opened and publicly declared.

Said bids were as follows:

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$2,000.00, which bid was given Document No. 438156;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$2,000.00, which bid was given Document No. 438157;

The bid of Daley Corporation, accompanied by bond written by the Glens Falls Indemnity Company in the sum of \$2,000.00, which bid was given Document No. 438158;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1,800.00, which bid was given Document No. 438159.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Godfrey, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

Councilman Dail was excused from the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Lighting District No. 1, for a period of one year from and including January 1, 1951, to and including December 31, 1951, the Clerk reported that one bid had been received, which bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by check in the sum of \$222.54 written on San Diego Trust & Savings Bank, which bid was given Document No. 438187.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, said bid was referred to the City Attorney and to the City Manager for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving of bids for furnishing electric current for lighting of the ornamental street lights located in Pacific Highway Lighting District No. 1, for a period of one year from and including November 5, 1950, to and including November 4, 1951, the Clerk reported that one bid had been received, which bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by check in the sum of \$276.58 written on San Diego Trust & Savings Bank, which bid was given Document No. 438188.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Godfrey, said bid was referred to the City Attorney and to the City Manager for report and recommendation.

Councilman Dail returned to the meeting at this time.

Councilman Schneider requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

Mrs. Mary L. Fay, member of the Board of Education, spoke in behalf of the United Nations Scholarship Fund, and asked for free use of Balboa Park Organ Pavilion on October 5 and 6. An Arabian Fantasy is to be presented on the 6th for the benefit of the Fund, to which \$1.00 admission will be charged for adults, with children free. Mrs. Fay told the Council that the Pavilion has been used for the past 3 years for the same purpose. She referred to charges set out by the Park Director for use of the facilities.

The Mayor spoke, referring to the City's policy, stating that taxpayers' money is in trust with the City administration, and felt that it could not be distributed through free use of facilities owned by the City. He referred to other requests made for similar enterprises, the latest being the big project of the Lions Club which sponsored a 2-day, 4-performance showing of the Ringling Barnum & Bailey Circus as a charity project for the blind. That project, could not be assisted through granting of free licenses and permits sought, despite its being worthy of support. He said that the City is in fact assisting by permitting the Scholarship Fund to use the Organ Pavilion at the special \$50.00 per day rate which applies where charity events (with admission charges) are sponsored.

Mrs. Fay, asked by Councilman Swan about use of school auditoriums, said that there is no available space for the project, especially since a horse is to be used in the production. Also, Mrs. Fay said, it is not a Board of Education project.

Councilman Wincote said that as a matter of policy, the Scholarship Fund should pay the regular fee set by the City.

Councilman Dail pointed out that in order to provide free use of City-owned facilities events have to be of general interest and benefit, sponsored by the City. He said no exceptions are made to the rule, and did not see how the City could deviate from it in this instance.

Councilman Swan asked if rent is paid where it would come from.

Instead of answering the question, Mrs. Fay said that she was asking the Council to sponsor "United Nations Week".

The Mayor said that the City is entering into the United Nations Week activities, but felt that the Scholarship Fund presentation could not come within that category.

Councilman Godfrey said that inasmuch as October 5 was to be used only for rehearsal and for arranging of scenery and the like, only the evening of October 6 - Saturday - would admission be charged. He moved to grant use for \$50.00.

It was pointed out that denial of the request would accomplish the same purpose, and that the record should be clear on the point.

(RESOLUTION NO. 103667 denying the request, will be found later in these minutes).

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the Street Superintendent's Assessment No. 2027 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 33 Ocean Beach, for report on the protest of Bert and Emma Bowers against the grade in relation to their garages, the City Engineer made a verbal report. He told the Council that the improvement had been put in at the established grade. The garages, he said, were not on the right grade.

A motion was made by Councilman Schneider, seconded by Councilman Wincote, to overrule the appeal.

Before the roll was called on the motion, the Council members entered into discussion relative to the grade.

Mrs. Bowers spoke about inaccessibility of one of the garages from the presently-improved alley.

The Mayor pointed out to Mrs. Bowers that although the Council regrets the situation, the City is not responsible for the garages having been built to other than official grade.

RESOLUTION NO. 103638, recorded on Microfilm Roll No. 42, overruling and denying the appeal of Bert Bowers and Emma Bowers, and all other appeals, from the Street Superintendent's Assessment No. 2027 made to cover the costs and expenses of the work of paving and otherwise improving of the Alley in Block 33 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 97345, confirming and approving said assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and directing him to record the same in his office, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2028 made to cover the costs and expenses of the paving and otherwise improving of Draper Avenue, within the limits and as particularly described in Resolution of Intention No. 100471, the Clerk reported that written appeal had been received from J. D. Ingram, which appeal was presented to the Council.

Thereupon the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

The City Engineer made a verbal report regarding the appeal, stating that the valuation of the property is not taken into consideration when the assessment is made for the improvement.

RESOLUTION NO. 103639, recorded on Microfilm Roll No. 42, overruling and denying the appeal of Joseph D. Igram and all other appeals, from the Street Superintendent's Assessment No. 2028 made to cover the costs and expenses of the work of paving and otherwise improving of Draper Avenue, within the limits and as particularly described in Resolution of Intention No. 100471, confirming and approving said assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and to record the same in his office; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

At this time the City Attorney referred to the Ordinance which had been presented under unanimous consent, relative to placing regulations upon the sale of airplane tickets. He suggested that the Clerk be directed to place it upon next Thursday's docket.

A representative of the District Attorney's office spoke. He said that there should be, in the best interest, cooperation between the City and County in the matter. The Board of Supervisors, he told the Council, is conducting a hearing on the subject this afternoon, and felt that there should be harmony between both legislative groups.

Councilman Kerrigan said he had a note from a Mr. Tomlinson who wants to be heard before the Council adopts any legislation on the subject.

City Attorney Jean F. DuPaul reviewed the case of a group of service men who had been stranded by an airline. He told of the effect of the proposed Ordinance.

The Mayor said that there is no urgency inasmuch as "all are under injunction now".

On motion of Councilman Schneider, seconded by Councilman Dail, the City Clerk was directed to list the proposed Ordinance on the Council agenda for the meeting of Thursday, September 13, 1951.

The hour of 10:00 o'clock A.M. having arrived, being the time set for hearing on the proposed Ordinance approving the annexation to The City of San Diego of Lots 7, 8, 9, 10, 23 and 24 of The Highlands, Lot 6 Block 10 and Lots 1, 2, 3 and 4 Block 21 Rose-dale, and portions of Lots 72 and 78 of Rancho Mission of San Diego, in the County of San Diego, to be designated as "Torgerson-Platner Tract", the Clerk reported that a letter of protest had been received from James Britton (not a property owner in the district affected), which communication was presented and read.

Councilman Wincote said he thought the Britton statements made in his letter may have resulted from a conversation with him, in which Mr. Wincote had answered many of the questions asked by Mr. Britton.

City Planning Director Glenn A. Rick said that the Planning Commission had originally opposed the annexation. He said that the developers of the property have filed a letter regarding the proposed development as an industrial area. Mr. Rick said that off-street parking and landscaping should be required, and said he felt that homes should not be put in an industrial area. He referred to uses other than industrial in industrial areas of the City now, which he felt to be not good.

Ferdinand Fletcher, attorney representing the developers and those seeking to have the area annexed, spoke. He said that Mr. Rick has gone too far. He said that he and his clients have had discussions with Mr. Rick, but contended that Mr. Rick is now going beyond points discussed. He said he believed industrial use property should not be restricted to that exclusive purpose.

Councilman Godfrey spoke regarding costly protection uses.

Mr. Fletcher said that the acreage for industry would depend on the City's use of its own lands. He said that his clients would be willing to be guided by the City and by the Chamber of Commerce regarding industrial use acreage. He said, however, that they do not want to be restricted to industrial use which he felt would amount to "involuntary condemnation".

Mr. Rick said that many cities do not permit residences in industrial areas, for various reasons. Industrial zones, he felt, should be for industrial use only. Present Ordinances of the City do not prohibit residences in industrial zones, he said, and many problems result from that lack of prohibition.

Councilman said that Mr. Rick's discussion is out of order, and is premature.

The Mayor said that the Britton letter has no effect.

Mr. Fletcher said, after consulting with his clients, that there is no objection to restricted industrial use, and that he was speaking as an attorney who did not want to get the situation tied up too tightly.

Councilman Kerrigan spoke about sign boards on Highway 395, referring to it as a potential "Signboard alley".

Mr. Platner, one of the developers, said that Mr. Torgerson has two signboards on his property which he felt he would remove at expiration of present leases, and that he (Platner) had refused to have signs placed on his property, despite offers for leasing land for such purpose.

Councilman Kerrigan pleaded not to clutter the freeway with signs.

Mr. Fletcher said that signboards can be handled in the future under zoning.

Councilman Kerrigan said he hoped that no one who has signs or establishes them will claim any prior use rights on the subject.

Mr. Rick said that conditions resulting from negotiations are being carried out. He spoke of additional right of way requests made by his office, and said that the developers have agreed to all except land needed for a future clover leaf. He said some 11 or 12 acres would be needed, and that they could not be expected to give that land, as they have agreed to do for other rights of way. Mr. Rick said that the clover leaf should be worked out as soon as possible by the City Engineer and the Highway Department.

Councilman Kerrigan was excused at this time.

Mr. Platner spoke about a letter relative to taxation on land. He said that he had not put it on regular letter head, but that it was on an onion skin, and had been submitted informally.

Mr. Fletcher said that an original of the letter referred to will be filed for the official record.

Councilman Kerrigan returned to the meeting at this time.

Councilman Godfrey said he felt that the letter should be filed before action is taken.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the letter received from James Britton was ordered filed.

Mr. Fletcher outlined points to be put into the letter to which reference has been made.

Assistant City Manager Blom spoke about the taxation agreement letter. All present agreed that the letter had been seen, but that it had not been filed and placed in the record.

Councilman Schneider went out to get his copy of the letter. When he returned he did not file such a letter, if he had it with him.

Mr. Platner reviewed points of the letter regarding services in excess of present services, and valuation.

The Mayor protested a suggestion made by Mr. Fletcher that the Ordinance be passed, and that the letter be filed later. He said that was not a very satisfactory way of handling the matter. The Mayor said that the City should have a "little legal contract" rather than the proposed letter. He thought it would be well to continue the matter until Thursday of this week, to permit the City Attorney to review agreements.

On motion of Councilman Swan, seconded by Councilman Godfrey, the hearing in this matter was continued until the hour of 10:00 o'clock A.M., of Thursday, September 13, 1951.

After continuing the hearing, there was further discussion, in which the opinion was expressed that the matter should be studied in Council Conference prior to acting upon the continued hearing, resulting in:

RESOLUTION NO. 103640, recorded on Microfilm Roll No. 42, referring the matter of the proposed Ordinance approving the annexation of lands in the Highlands, Rosedale and Rancho Mission of San Diego, to be known as "Torgerson-Platner Tract" to Council Conference for consideration on Thursday, September 13, 1951, at the hour of 9:00 o'clock A.M. was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating Block 55 and unnamed block known as "Park" in Morena into R-2 Zone, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

ORDINANCE NO. 4916 (New Series), recorded on Microfilm Roll No. 42, incorporating all of Block 55 and unnamed Block known as "Park" in the Subdivision of Morena in the City of San Diego into "R-2" Zone as defined by Ordinance No. 8924 of the Ordinances of said City and amendments thereto, repealing Ordinance No. 13457 insofar as the same conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent-Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays-Councilmen None. Absent--Councilmen None.

Petition of Pacific Recreation Center, 3681 Coutts Street, for permission to remain open after the regular closing time of 2:00 A.M. for two nights per week, to accommodate swing shift personnel of Consolidated Vultee Aircraft Corporation and Ryan Aeronautical Company bowling leagues which would start approximately 1:30 A.M. and continue until about 4:00 A.M., was presented.

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

Claim of California Electric Works, 424 - 8th Avenue, in the sum of \$315.58, resulting from sidewalk drain being stopped up on 8th Avenue when it was resurfaced, causing water to back up and overflow into shop damaging material, customers' property, and records, was presented.

RESOLUTION NO. 103641, recorded on Microfilm Roll No. 42, referring claim

of California Electric Works to Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Claim of Florence E. Zwereman, 3727 Bancroft Street, in the sum of \$636.58, for car wrecked by a City Fire Truck, was presented.

RESOLUTION NO. 103642, recorded on Microfilm Roll No. 42, referring claim of Florence E. Zwereman to Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103643, recorded on Microfilm Roll No. 42, authorizing and empowering the Port Director to do all the work in connection with the surfacing of Byron Street from a distance of 1150 feet, beginning at the Mean High Tide Line, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the Port Director has submitted estimates for said work and has indicated that the same can be done by City forces more economically than if let by contract.

Prior to adoption of said Resolution, Councilman Schneider asked if doing work by appropriate City forces meant by the Harbor Department. The Port Director replied that it did.

Communication from the Purchasing Agent, bearing the Acting City Manager's stamp of approval, reporting on bids for landscaping of areas east and west of the center block parking area at Kellogg Park in La Jolla, including planting of palms in the parking area, recommending award to Jack W. Brem, the low bidder, was presented.

The report stated that the low bid was \$410.00 above the Engineer's estimate of \$4500.00.

RESOLUTION NO. 103644, recorded on Microfilm Roll No. 42, accepting bid of Jack W. Brem for landscaping of areas east and west of the center block parking area at Kellogg Park in La Jolla, including planting of palms in the parking area, including a deduction under Alternate 1 for furnishing of plants by the City and an addition under Alternate 2 for cost of planting palm trees, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, bearing the Acting City Manager's stamp of approval, reporting on bids for furnishing City's requirements of Clay Sewer Pipe, Fittings and Couplings for a period of six months beginning September 1, 1951 and ending February 28, 1952, stating that the bids of Mission Pipe and Supply Company and of Industries Supply Company, both of San Diego were identical, recommending award to Mission Pipe and Supply Company inasmuch as Industries Supply Company had received a contract for the previous six months' period, was presented.

RESOLUTION NO. 103645, recorded on Microfilm Roll No. 42, accepting bid of Mission Pipe and Supply Company for furnishing requirements of Clay Sewer Pipe, Fittings and Couplings for a period of six months beginning September 1, 1951, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Acting City Manager reporting on communication from E. J. Beauregard, 4178 Illinois Street, suggesting use of Newtown Park for fee charging parking lot, stating that the Park and Recreation Director has advised the writer that it would take a Charter amendment to do so, recommending filing, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the matter was ordered filed.

Communication from the Acting City Manager reporting on communication from George Gardner Dunne, P.O. Box 251, Coronado, offering to solicit fund for erection of a flag over information booth in Horton Plaza, attaching copy of his reply stating that arrangements have been made by the City for erection of flag in the near future, recommending filing, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from the Acting City Manager reporting on communication from Walter M. McKellar, 2720 Poinsetta Drive, San Diego 6, offering to exchange property in Ocean Vista Addition adjoining his land, attaching copy of his reply to Mr. McKellar which states that the City would derive no immediate benefit by such exchange, stating that it lies in a creek bed and would require considerable improvement, and declining the offer, recommending filing, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from the City Manager reporting on complaint of Richard J. Bartsch regarding construction by Gus E. Matchinske over existing garages at 1428 Brooks Avenue, was presented.

The report states that construction has not progressed to the extent where it can be determined if the building is to be used for other than the permitted use, that the Inspection Department will watch and take action if building differs from plans submitted. Attached was copy of letter from Mr. Matchinske, addressed to the Planning Director, stating that a single-family dwelling is being constructed over 5 garages.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from Amos Cendali, Sr., and other members of his family, offering to give to the City a parcel of real property for dedication as an extension of 53rd Street, in connection with condition attached to zone variance granted by the Zoning Committee to Calvary Evangelical Lutheran Church of San Diego, Inc., was presented.

Councilman Godfrey moved to refer the matter to the Planning Department, which motion was seconded by Councilman Schneider.

Following a brief explanation by the City Planning Director, to the effect that the easement offered had been a requirement attached to the zone variance, and that the City desires the property, the motion was withdrawn.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the matter was referred to the City Attorney for preparation and presentation of the necessary papers to accept the offer

Communication from the Pacific Indemnity Company, dated September 6, 1951, signed by J. M. MacConnell, advising that the claim of Mildred G. Schnell, 4605 - 49th Street, for damage to residence caused by backed up sewer, had been settled in the sum of \$228.95 on September 4, 1951, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, the matter was ordered filed.

Communication from the Pacific Indemnity Company, dated September 5, 1951, signed by J. M. MacConnell, advising that claim of Ralph D. Turner, 2909 First Avenue, for damage to automobile from paint that blew from the First Avenue Bridge over his car, in the sum of \$135.00, had been settled for \$67.50, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, the matter was ordered filed.

RESOLUTION ORDERING WORK NO. 103646, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of Beardsley Street and 22nd Street, within the limits and as particularly described in Resolution of Intention No. 103209, was on motion Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 103647, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of Coronado Avenue, Del Mar Avenue and Orchard Avenue, within the limits and as particularly described in Resolution of Intention No. 103210 was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 103648, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of La Jolla Hermosa Avenue, within the limits and as particularly described in Resolution of Intention No. 103208, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 103649, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of 33rd Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 103207, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 103650, recorded on Microfilm Roll No. 42, for the furnishing of electric current for the lighting of the ornamental street lights located in College Park Lighting District No. 1, for one year from and including June 1, 1951, to and including May 31, 1952, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 103651, recorded on Microfilm Roll No. 42, for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 1, for a period of one year from and including August 7, 1951, to and including August 6, 1952, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 103652, recorded on Microfilm Roll No. 42, for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 3, for a period of one year from and including August 7, 1951, to and including August 6, 1952, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103653, recorded on Microfilm Roll No. 42, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District, No. 3, for a period of one year from and including July 16, 1951, to and including July 15, 1952, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103654, recorded on Microfilm Roll No. 42, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Brooklyn Avenue, 63rd Street, 64th Street, Broadway, 62nd Street and public rights of way, within the limits and as particularly described in Resolution of Intention No. 102126, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103655, recorded on Microfilm Roll No. 42, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Oliver Avenue, within the limits and as particularly described in Resolution of Intention No. 102301, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103656, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with the transfer of 50 services from the existing 4-inch steel pipe line and cast iron pipe line to the new 12-inch cast iron pipe line, and the abandonment of 1470 feet of 4-inch C.I. pipe, 1170 feet of 4-inch steel pipe, 2 4-inch H.E. gate valves and 2 4-inch screw gate valves, in 68th Street, Imperial Avenue to Jamacha Road, and in Jamacha Road, 68th Street to terminus, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces economically than if let by contract.

RESOLUTION NO. 103657, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with the remodeling of the existing electrical equipment and the installation thereof in the University Heights Pumping Plant, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103658, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to execute a lease with J. Harvey Workman and J. J. Meadows, a co-partnership doing business as the Aztec Oil Company, for the leasing of a portion of Pueblo Lot 1803, as shown on the altered map of Mission Beach No. 1809 filed in the Office of the Recorder of San Diego County, for the purpose of operating a service station, for a period of 5 years, under terms and upon conditions more particularly set forth in said lease, a copy of which is filed in the Office of the City Clerk as Document No. 438192, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

(Although the Resolution does not so state, said service station is located at the corner of Mission Boulevard and Ventura Place).

RESOLUTION NO. 103659, recorded on Microfilm Roll No. 42, authorizing the City Manager to execute an agreement with C. W. Mikel for removal of carp from Hodges Reservoir during the period of July 1, 1951 through June 30, 1952, in accordance with terms and conditions of Agreement filed in the office of the City Clerk as Document No. 438193, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

(Although the Resolution does not so state, payment to be made to the City by the contractor is to be \$25.00 per ton for said carp).

RESOLUTION NO. 103660, recorded on Microfilm Roll No. 42, granting request of the Daley Corporation for an extension of time of 8 days, to and including the 1st day of August, 1951, in which to complete its contract for the construction of Wabash Freeway, Section A, which said contract is contained in Document No. 414553 on file in the office of the City Clerk, completion under said extension is to be as of August 1, 1951; waiving provisions of the specifications with respect to liquidated damages until the termination of the contract period as extended, was on motion of Councilman Godfrey, seconded by Wincote, adopted.

Said Resolution recites that extra work had been requested and required by the City, and that extension of time had not previously been granted due to inadvertence on the part of the City.

RESOLUTION NO. 103661, recorded on Microfilm Roll No. 42, granting permission to Unified School District, through Johnson, Hatch & Wulff, Architects, San Diego, to install a four-inch cast iron sewer lateral from the kindergarten wing, Bird Rock Elementary School, to the main sewer line, with a fall of 1/8" per foot; also, to install the 4" cast iron sewer running north and south and lying to the east of the Assembly Cafeteria area at a grade of slightly less than 1/4"; subject to approval by the City Manager and by the Department of Public Health, and upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103662 (See * following Resolution 103663)

RESOLUTION NO. 103663, recorded on Microfilm Roll No. 42, authorizing the City Planning Director to attend, as a representative of The City of San Diego, a meeting of the Shoreline Planning Association, to be held in Santa Monica and Santa Barbara for a period of three days commencing September 13, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Prior to adoption of Resolution No. 103663, the City Planning Director made a report on activities of the Association, stating that it is now operating on a reduced personnel, and is doing a good job although restricted. He said that San Diego has the biggest stake in the project, and should continue its membership, even on the present half-time basis of the Association's operation.

* RESOLUTION NO. 103662, recorded on Microfilm Roll No. 42, requesting the City Planning Director to prepare, for presentation to the Council for its adoption, a Resolution relative to the importance of the activities of the Shoreline Planning Association of California and requesting the Association to continue with its work, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103664, recorded on Microfilm Roll No. 42, authorizing Roy E. Butler, Assistant Director of Civil Defense, to attend a staff civil defense meeting to be held in Sacramento, California, September 24 to 26, inclusive, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103665, recorded on Microfilm Roll No. 42, authorizing J. H. Shaw, Purchasing Agent, to attend the 6th Annual Pacific Intermountain Purchasing Agents' Conference, to be held in Los Angeles, Friday, September 28, and Saturday, September 29, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The proposed Ordinance appropriating the sum of \$100,000.00 from the Capital Outlay Fund for the purpose of providing funds for the widening of Sixth Avenue, from Pennsylvania Street to University Avenue, and expenses incident thereto, continued from the meeting of September 4, 1951, until this meeting, was presented.

Mayor Butler said he felt the Ordinance should be referred to Conference for study and determination of the whole plan.

Glendon H. Conklin, an interested property owner in the area, spoke. He asked about the length of time of postponement if the matter were referred to Conference as proposed by the Mayor.

The Mayor replied that it would be for only a short time - approximately two weeks.

Stanley Christopher, 3755 - 6th Avenue, spoke about his furniture store in the affected area. He said that his building had been set back in anticipation of the widening, and that parking facilities are provided to the north of his building. He said that D. D. Williams is giving land for parking. Mr. Christopher said that there is a terrific bottleneck, and that there is more congestion there now than before the Freeway was constructed and opened, instead of less as had been supposed.

Mr. Conklin told the Council that the signatures of all the affected property owners have been obtained, with the exception of one on University Avenue.

The owners referred to on University Avenue are B. H. & Ethel R. Gholson, from a letter ^{which} had been received this date. The letter was sent for, and presented to the Council. The owners state that their property is located on the southeast corner of 6th Avenue and University Avenue, stating that 6th Avenue widening would create a traffic hazard, that taking of their property for widening would reduce and depreciate its value fully 50% for uses for which it is desirable commercially.

RESOLUTION NO. 103666, recorded on Microfilm Roll No. 42, referring the matter of the proposed Ordinance appropriating \$100,000.00 from the Capital Outlay Fund for widening of Sixth Avenue, from Pennsylvania Street to University Avenue, to Council Conference for consideration this date, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103667, recorded on Microfilm Roll No. 42, denying the verbal request of Mrs. Mary L. Fay, for free use of the Organ Pavilion, Balboa Park, in connection with sponsorship of the United Nations Scholarship Fund, on October 5 and 6, 1951 (there would be no charge for October 5 inasmuch as no admission charge is being made) for benefit dramatic presentation, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

(See page 41 for further details in connection with the request).

ORDINANCE NO. 4917 (New Series), appropriating the sum of \$7,709.00 from the Unappropriated Balance Fund for the purpose of providing additional funds required as part of the total contribution of the City of San Diego to the operation of the City-County Camp Commission, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

(Said Ordinance had been continued from the meeting of September 4, 1951).

ORDINANCE NO. 4518 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$35,000.00 from the Unappropriated Surplus of the Water Department, for the purpose of providing funds for installation of a cast iron pipeline on Wightman Street, between 36th and Van Dyke Street, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4919 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$5,100.00 from the Capital Outlay Fund for the purpose of providing funds for the construction of landscaping areas adjacent to the parking area and the planting of trees in the parking area in Kellogg Park, was on motion of Councilman Godfrey, seconded by Councilman Wincote placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4920 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$4,500.00 from the Capital Outlay Fund for the purpose of providing funds for the construction of restrooms at the Santa Clara Point Restaurant, Santa Clara Point, Mission Bay Park, was on motion of Councilman Schneider, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Proposed Ordinance amending Section 6 of Ordinance No. 3675 (New Series) - which Ordinance created a Sports Commission and special funds to be known as San Diego Sports Commission Promotional Trust Fund and San Diego Sports Commission Revolving Fund - was presented.

The Mayor explained the matter relative to the fund and the Commission's membership.

The City Attorney told the Council of the purpose of the amendment providing for enlargement of activities and powers.

The Acting City Manager said that the request for the change had come from the Commission, which had met with the City Manager and with the County's Administrative Officer. He read a memo from the City Manager directed to the Attorney which request preparation of the Ordinance, which clarified some of the points.

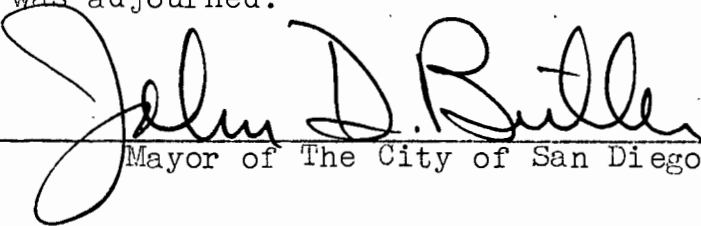
RESOLUTION NO. 103668, recorded on Microfilm Roll No. 42, deferring the matter of the proposed Ordinance amending Section 6 of Ordinance No. 3675 (New Series) until September 18, 1951, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Harold D. Cornell, of the District Attorney's Office appeared, and invited members of the Council to be present at the meeting of the County Board of Supervisors this afternoon, at which time testimony was to be presented in connection with the proposed Ordinance regulating the sale of Airplane tickets. He said that there are minor differences between the City's and County's proposed Ordinances, but that both were intended to accomplish the same purpose. Members of the Council indicated that they would attend.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, a recess was taken, at the hour of 11:50 o'clock A.M., until the hour of 3:00 o'clock P.M., this date, to permit members of the Council to hear testimony on the Airplane ticket sales Ordinance.

At the hour of 4:50 o'clock P.M., Councilmen Kerrigan and Godfrey reappeared in the Council Chamber.

There being no business to come before the Council at this time, and there being no quorum present, the meeting was adjourned.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, September 13, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the proposed annexation of lands in The Highlands, Rosedale, Rancho Mission of San Diego, to be known as "Torgerson-Platner Tract", ~~having arrived~~, it was stated that interested parties had requested continuance for one week.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, said hearing was continued for one week - until Thursday, September 20, 1951.

Petition of Anderson Realty Investment Company, 3569 Adams Avenue, San Diego 5, California, signed by Arthur V. Anderson, requesting permission to use Romex wiring in construction of apartment buildings, in lieu B.X. wiring as provided for in the building code, was presented.

On motion of Councilman Wincote, seconded by Councilman Dail, said petition was referred to the City Manager.

Claim of Casino Theatre, Inc., 643 - 5th Avenue, San Diego 1, in the sum of \$17.52; for damage to Neon on marquee by City rubbish crew, was presented.

RESOLUTION NO. 103669, recorded on Microfilm Roll No. 43, referring claim of Casino Theatre to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Claim of Marj Shippey (Mrs. Hank Shippey), Box 486, Del Mar, Calif., for injury to her dog on the beach by a jeep driven by a lifeguard, was presented. There was no amount was stated in the claim.

RESOLUTION NO. 103670, recorded on Microfilm Roll No. 43, referring claim of Marj Shippey, Box 486, Del Mar, California, to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The Port Director's communication submitting agreement for amendment to American Tunaboat Association Lease was deferred temporarily awaiting arrival of the Port Director.

Communication from the Purchasing Agent, bearing the Acting City Manager's stamp of approval, reporting on bids for furnishing and installing traffic signals and safety lights on Broadway at Kettner Boulevard, State Street, First Avenue, and Twelfth Avenue, recommending award to Ets-Hokin and Galvan, the low bidder (2 bids), was presented. Said reported that the low bidder was \$28,459.00 - and that the Engineer's estimate was \$38,175.64.

RESOLUTION NO. 103671, recorded on Microfilm Roll No. 43, accepting bid of Ets-Hokin and Galvan for the furnishing and installation of traffic signals and safety lights on Broadway at Kettner Boulevard, State Street, First Avenue and Twelfth Avenue, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Acting City Manager reporting on communications from Mrs. Ethel W. Brown, 2920 - 33rd Street; Mrs. Lois W. Stevenson, 3952 Santa Cruz, San Diego 7; Harry R. Collins, 1004 Devonshire Drive; all expressing their opinions on the proposed new Dog regulating Ordinance, was presented.

Copies of the Manager's communications addressed to each of the correspondents, were attached to the file.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from the Civil Service Commission, signed by George A. Scott, President, requesting that Lew Fay be authorized to attend the Civil Service Assembly of the U.S. and Canada to be held in Detroit on October 8 to 11, inclusive, being its national conference, was presented and read.

The communication stated that the Department has not been represented at a National Conference for two years, and that it is felt it would be beneficial to participate.

RESOLUTION NO. 103672, recorded on Microfilm Roll No. 43, authorizing Lew Fay, of the Civil Service Department, to attend the Civil Service Assembly of the United States and Canadian National Conference, to be held in Detroit, Michigan, October 8, 9, 10 and 11, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from John E. Harrington, 1934 Mission Avenue, San Diego 16, a busdriver with San Diego Transit System, advocating that the street lights be turned on earlier and be left turned on later, stating that streets are plunged into total darkness causing hazardous driving. The communication states that there is no darker hour than just before dawn, and that dark winter mornings are approaching those who drive at that hour of the morning should have a chance to see where they are going.

Councilman Dail said that the San Diego Gas & Electric Company is complying with the requested action.

On motion of Councilman Dail, seconded by Councilman Godfrey, the matter was ordered filed.

The Acting City Manager said that he would advise Mr. Harrington in writing of the action.

Communication from Lester Loeser, 16th & Logan Auto Wreckers, 1600 Logan Avenue, San Diego 2, dated September 6, 1951, and bearing City Clerk's Document No. 438195, was presented. Said communication reads as follows:

"Pursuant to the resolution of the City Council adopted this 6th day of September, 1951, under the terms of which the decision of the Zoning Committee was overruled, and a zone variance to use Lots 26 through 36, Block 1 of Leebrick's Addition to the City of San Diego for the storage of used automobiles was granted for a period of ten months, expiring June 30, 1952.

"This memorandum may serve as an agreement between the undersigned and the City of San Diego that no further extensions of this zone variance will be applied for.

Very truly yours,
(SIGNED) LESTER LOESER"

"APPROVED:
J. F. DuPaul, City Attorney,
By J. F. DuPaul"

Councilman Godfrey wanted to have a statement included in the agreement to the effect that the existing fence be removed.

On motion of Councilman Godfrey, seconded by Councilman Godfrey, Mr. Loeser's letter was ordered filed.

RESOLUTION NO. 103673, recorded on Microfilm Roll No. 43, referring the matter of Lester Loeser's agreement not to make any further applications for extensions on zone variance granted by the Council for a period expiring June 30, 1952, for storage of

used automobiles on Lots 26 through 36 Block 1 of Leebrick's Addition, filed in the office of the City Clerk under Document No. 438195, to Councilman Charles B. Wincote with the request that he ask Mr. Loeser to file an additional statement to the effect that the existing fence surrounding the property in question will be removed when the zone variance expires, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Communication from The Salvation Army, 830 Eighth Avenue, signed by Major Daniel G. Rody, commanding officer, expressing thanks for cooperation given in connection with the American Legion Convention by permitting the placing of the Mobile Canteen on a downtown street by the Salvation Army, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said communication was ordered filed.

Communication from Snodgrass & Son, P.O. Box 1248, 440 Eleventh Avenue, San Diego, relative to possible increase in the City Sales Tax, and opposing the same, was presented. Said communication listed the names and addresses of outside milk dealers who come into the City peddling milk without paying the City's sales tax, and stated that the peddlers are slowly ruining the local business.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said communication was referred to the City Manager.

RESOLUTION NO. 103674, recorded on Microfilm Roll No. 43, declaring that the best interests of The City of San Diego require that the City compromise action in eminent domain entitled "The City of San Diego, etc., v. Mary T. Arabian, et al.," No. 148440, in connection with the widening of El Cajon Boulevard, with the defendants Mary T. Arabian and Nishan T. Arabian, as to the northerly 20.00 feet of Lot 3 of Country Paradise measured at right angles to the northerly line of said Lot 3, by paying to them the sum of \$1,150.00 upon their granting to The City of San Diego clear title to an easement over, upon and across said property, and waiving any and all damages to which they might be entitled by reason of public improvement; authorizing and directing the City Attorney to perform any and all acts necessary to effectuate the compromise, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution states that the value of the interest in said property sought by the City has been appraised at \$700.00 by the Percy H. Goodwin Company, that the City pursuant to an order of court took immediate possession and transferred the same to the State of California who by contract performed the work necessary for widening of the Boulevard. Also, the Resolution recites that in the construction of the improvement the property in front of the parcel referred to was torn up, after which there was heavy rain resulting in loss of ingress and egress to the nursery business, and that the owners are willing to compromise the action for \$1,150.00.

Bills from San Diego-California Club, in the sum of \$6,566.44, incurred for advertising contracted for and paid, was presented.

Councilman Godfrey moved to adopt a Resolution approving the same and authorizing requisition for payment from the Advertising and Publicity Fund of 1951-1952 for said amount, which motion was seconded by Councilman Swan.

Before the roll was called, the Acting City Manager told the Council that \$60,000.00 had been set aside, but that the Budget Officer is to work with organizations affected before allocations are made. He said that T. F. Bomar, Managing Director of the Club, is not concerned over immediate payment. He said that Mr. Bomar, wants to have the allocation "pinned down" by October 1, so that the Club's budget will be ready for presentation to the Board of Directors.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said bills - which bear the signatures of the three members of the Advertising Control Committee - were referred to the City Manager.

ORDINANCE NO. 4921 (New Series), recorded on Microfilm Roll No. 43, appropriating the sum of \$67,439.69 from the Unappropriated Surplus of the Water Department Funds for the purpose of providing funds to cover the cost of cement lining the existing water line on 30th Street, between Polk Avenue and Suncrest Drive, and to meet the requirements of the Metropolitan Water District obligation over and above the amount included in the current year's budget of the Water Department, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

The proposed Ordinance regulating the sale of Airplane Tickets, which had been continued from the meeting of September 11, 1951, and listed again on this agenda by Council direction, was brought up for consideration again, although the original thereof was not available.

The Mayor said that there is no extreme emergency, and said that it should be considered carefully in Conference before adoption.

Councilman Dail moved to refer the matter to Council Conference, which motion was seconded by Councilman Swan.

Before the question was called for, there was discussion on the subject, during which the Mayor said he thought that the Council should hear anyone present who was interested in the subject.

Councilman Godfrey said that this had not been set as a hearing, and that the Council is going to hear anyone, both side should be present to express their views.

An unidentified attorney, who said that he represents opposition to the proposed Ordinance, said that he wants to be heard before action is taken.

The Mayor said that any objections might well be submitted to the City Attorney for his perusal and report to the Council in its Conference.

Olney R. Thorn, representing the District Attorney's office, spoke. He said he thought the Council had probably heard the witnesses at the session attended in the Board of Supervisor's hearing conducted on Tuesday, September 11, 1951.

Councilman Wincote said that the Council had already been committed to attendance at another Conference meeting, and that inasmuch as the hearing had started late, members of the Council had heard little of the testimony.

The Mayor said that the District Attorney's ideas should be referred to the City Attorney.

Mr. Thorn said that the Supervisors have continued the matter until next Tuesday, at 2:00 o'clock P.M.

Mr. Wincote said that the Council had not had time to hear the opposition at the County's hearing.

RESOLUTION NO. 103675, recorded on Microfilm Roll No. 43, referring the matter of the proposed Ordinance providing for Police Regulation and Supervision of activities of brokers and other persons who sell passenger space on airplanes in the City of San Diego, making it illegal to make certain representations in the course of such activities, to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

After adoption of the Resolution, the Mayor said that "fair consideration" is the reason for referring the matter to Conference for further study.

Communication from the Harbor Department, signed by the Port Director, enclosing Agreement for Amendment to the American Tunaboat Association Lease on the G Street Pier, was presented.

The communication states that the amendment modifies the leased area by deleting sufficient land along the roadway to permit construction of sidewalk and adds 10 ft. to the northerly portion, resulting in net increase of 300 sq. ft., increasing rental \$5.00 per month in accordance with established Commission policy.

John Bate, Port Director, asked for a report by the Council, stated verbally the effect of the amendment, the same as in the written report.

RESOLUTION NO. 103676, recorded on Microfilm Roll No. 43, ratifying, confirming and approving agreement for amendment of Tideland Lease between The City of San Diego and American Tunaboat Association, in accordance with copy thereof on file in the office of the City Clerk as Document No. 438205, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Councilman Dail requested, and was granted unanimous consent, to present the next matter, not listed on the Council's agenda:

Petition of Felix Mazade, 937 - 25th Street, for waiver or change of the law pertaining to toilet facilities in his small beauty shop located at said address, stating that his apartment is in the same building with complete bathroom facilities, that he has no employees, and that the Health Department requirement for installation of an extra toilet would cause a hardship, was presented.

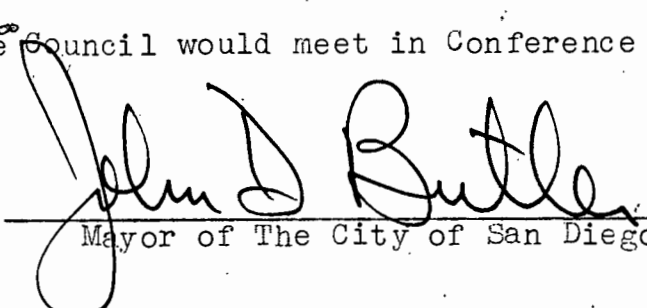
On motion of Councilman Dail, seconded by Councilman Godfrey, said petition was referred to the City Manager.

Arthur V. Anderson appeared in connection with petition of Anderson Investment Company, shown earlier in these minutes, and asked to be heard.

The Mayor told Mr. Anderson that the petition had been referred to the City Manager, from whom a report is needed before the Council can act. He asked Mr. Anderson to get in touch with the Manager's office, and said that the Manager will report back to the Council.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Swan, at the hour of 10:23 o'clock A.M.

The Mayor announced that the Council would meet in Conference within five minutes after adjournment.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, September 18, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:04 o'clock A.M.

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

The Minutes of the Regular Meetings of Tuesday, September 11, 1951, and of Thursday, September 13, 1951, were presented to the Council by the Clerk.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, said Minutes were approved without reading after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of 60th Street, within the limits and as particularly described in Resolution of Intention No. 103048, the Clerk reported that five bids had been received, which bids were presented to the Council and on motion duly made and seconded were opened and publicly declared.

Said bids were as follows:

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$900.00, which bid was given Document No. 438391;
The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$1,000.00, which bid was given Document No. 438392;

Councilman Wincote entered the meeting at this time.

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,000.00, which bid was given Document No. 438393;

Councilman Swan entered the meeting at this time.

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$900.00, which bid was given Document No. 438394;

Councilman Dail entered the meeting at this time.

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$1,000.00, which bid was given Document No. 438395.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current and maintenance of appliances and other electrical equipment in Mission Beach Lighting District No. 1, for a period of one year from and including May 15, 1951, to and including May 14, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council and on motion duly made and seconded was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check written on San Diego Trust & Savings Bank in the sum of \$243.90, which bid was given Document No. 438396.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 103446, for the paving and otherwise improving of the Alley in Block 13 Point Loma Heights, the Northeasterly and Southwesterly Alleys in Blocks 15 and 16 Point Loma Heights, Wawona Drive, and Poe Street, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received 11 property owners in Block 15 Point Loma Heights, and from Frank H. Peters in Block 16 Point Loma Heights, which written protests were presented.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

The following persons appeared and were heard:

Frank Peters, 3655 Poe Street, spoke. He said that the paving is not needed now. Poe Street, Mr. Peters said, is unpaved, and that he prefers to wait on the alley paving until the street is improved. He said that it would be too high in cost on his 120 feet which run lengthwise of the pavement. He said that the circulator of the original petition had given incorrect information on the assessment.

C. E. Dunahoo, 1901 Chatsworth Boulevard, said that there is no use for the alley to be paved, and said that there are 11 protesting property owners on the petition he circulated and filed.

The City Engineer reported on the protests in the Alley in Block 15, and said that there would be area protests counted, whereas on the original petition for the improvement signatures were counted on a frontage basis. He said that the protest in Block 15 is 65.3%, and a 21% protest by area for the entire job. The Engineer said he did not know of the protest in Block 16 which had not been on file at the time he checked the Clerk's file. He told the Council that the proceedings resulted from a combination of 2 jobs. He recommended that the Council throw out Block 15, but felt that there was not a sufficiently heavy protest to abandon the project as a whole.

Councilman Wincote spoke about a drainage culvert which had been installed in one of the alleys at a cost to the City of \$8,500.00, and said his thinking in the matter of abandoning the project would be influenced by the fact that the City had installed the drain as part of the proposed project.

The City Engineer said that the drain would not have been put in if it had not been for the petition to do the paving.

Councilman Schneider moved to continue the hearing for one week.

The Engineer spoke, before a second could be obtained to Mr. Schneider's motion. He correct statements which had been made regarding information on the proposed amounts of assessments. He said that there would be a modified assessment, and not on a straight frontage basis, but on a "short frontage".

Mr. Peters spoke again, and said that if the assessment were to be spread approximately the same on all the lots "let the majority rule".

Mr. Wincote said that if Mr. Peters' property were to be given a smaller assessment, based on a short frontage, despite his 120 feet, property owners on the other side would probably protest.

Thomas Heath, 1921 Chatsworth Boulevard, said that it would be possible to get only 2 signatures in favor of the improvement. He said that there are existing street paving assessments still unpaid, and felt that others should not be added at this time. He said that he and other property owners do not care what the owners do in the other blocks, and that the protests were being made in their own blocks rather than on the entire project.

The City Engineer spoke again, and recommended dropping Block 15 out of the proceedings.

During the discussion which followed, it was indicated by various Councilmen that they favored abandoning the entire project.

RESOLUTION NO. 103677, recorded on Microfilm Roll No. 43, sustaining the written and verbal protests against the paving and otherwise improving of the Alleys in Blocks 13, 15 and 16 Point Loma Heights, within the limits and as particularly described in Resolution of Preliminary Determination No. 103446, and abandoning proceedings heretofore taken for the proposed improvement of said Alleys, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed paving and otherwise improving of the Alley in Block 5 Chester Park Addition, within the limits and as particularly described in Resolution No. 103445 of Preliminary Determination, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

The following persons appeared, and were heard in verbal protest:

Edward Starr, 4222 - 47th Street, said that the improvement would be too expensive at this time. He said that the alley has been cut down, and that before paving is done it will have to be raised and retaining walls put in.

The City Engineer said that no retaining walls are contemplated, but that high curb is required, for a distance of 35 feet, to keep water from running on the the adjoining property.

Mr. Starr said that the price estimate he had received from the City Engineer's office is mighty high. He said that the improvement is not required by the residents, but that it is proposed for the benefit of a parking lot used by the store.

Mrs. Frank Huennekens and Mrs. Ethel Whitlock expressed opposition to the improvement.

F. F. Davidson, 4690 Orange Avenue, said that the curb would be for the benefit of the property owner at the other end of the alley. He said his property does not adjoin the alley, but that he would be assessed about \$40.00 for its improvement. He spoke about the moving of the water main and meters from the alley to the street.

The City Engineer said that there is a protest of about 12%.

Mrs. Elizabeth Bodie spoke, and told the Council that the work is needed, and that it will benefit all the property owners.

F. W. Roantree spoke in behalf of 7 property owners who favor the paving. He said that the improvement would keep the water from the lots.

Alfred Emery also told the Council that the improvement would be made.

RESOLUTION NO. 103678, recorded on Microfilm Roll No. 43, overruling and denying the protests of Edward C. Starr, Mrs. Frank Huennekens, Mrs. Ethel A. Whitlock and Forrest F. Davidson, against the paving and otherwise improving of the Alley in Block 5 Chester Park Addition, within the limits and as particularly described in Resolution No. 103445 of Preliminary Determination, overruling and denying all other protests thereon, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103679, recorded on Microfilm Roll No. 43, determining that the paving and otherwise improving of the Alley in Block 5 Chester Park Addition, within the limits and as particularly described in said Resolution of Preliminary Determination No. 103678 is feasible and that the lands to be assessed therefor will be able to carry the burden of the proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the installation of sewers in Brodiaea Way, Carrizo Drive, Country Club Drive, Encelia Drive, Remley Place, Romero Court, and Romero Drive, and public rights of way, within the limits and as particularly described in said Resolution of Preliminary Determination No. 103447, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 103680, recorded on Microfilm Roll No. 43, determining that the proposed improvement for the installation of sewers in Brodiaea Way, Carrizo Drive, Country Club Drive, Encelia Drive, Remley Place, Romero Court, and Romero Drive, and public rights of way, within the limits and as particularly described in Resolution No. 103447 of Preliminary determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of Jewell Street, within the limits and as particularly described in Resolution of Intention No. 103361, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Kerrigan, seconded by Councilman Dail, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2029 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 19 Fairmount Addition to City Heights and public right of way, within the limits and as particularly described in Resolution of Intention No. 100056, the Clerk reported that no appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 103681, recorded on Microfilm Roll No. 43, confirming and approving the Street Superintendent's Assessment No. 2029 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 19 Fairmount Addition to City Heights and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 100056, confirming and approving said Assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance establishing a masonry wall height above the adjacent sidewalk along the front property line on portion of La Jolla Boulevard, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

ORDINANCE NO. 4922 (New Series), recorded on Microfilm Roll No. 43, establishing a masonry wall height limit of 62 inches above the adjacent sidewalk along the front property line of Lots 10 through 16 Block 4, Lots 8 through 14 Block 6 and Lots 9 and 10 Block 7 Hermosa Terrace, providing a penalty for the violation thereof, was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Claim of Lois S. Dolhar, 731 River Drive, Willoughby, Ohio, in the sum of \$94,900.00, resulting from personal injuries sustained in an accident with a City-owned automobile, was presented.

RESOLUTION NO. 103682, recorded on Microfilm Roll No. 43, referring claim of Lois S. Dolhar to the Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Claim of Michael Angelo Napolitano, 821 Pomona Avenue, Coronado, California, in the sum of \$1,037.34, resulting in property damage sustained in collision with City-owned police automobile, was presented.

RESOLUTION NO. 103683, recorded on Microfilm Roll No. 43, referring claim of Michael Angelo Napolitano to the Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Claim of Ed C. Shea, 1247 Garnet Street, in the sum of \$171.77, for damage done to his car by a City Maintenance truck, was presented.

RESOLUTION NO. 103684, recorded on Microfilm Roll No. 43, referring claim of Ed C. Shea to the Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Councilman Kerrigan requested, and was granted unanimous consent, to present the next matter, not listed on the Council's agenda:

Mr. Kerrigan filed a claim from Jessie R. Brown, 4334 Myrtle Street, in the sum of \$150.00 for personal injuries resulting from fall on the sidewalk.

The City Attorney and the Mayor said that there is a prescribed manner for the filing of claims, and said that this one was not being filed in the proper manner.

Mr. Kerrigan said that the claim had been brought to his residence last evening by Mrs. Brown, and that he was filing it now to protect her interests, inasmuch as the 90-day period within which claims must be filed (under the City Charter) for damages against the City.

It was pointed out by the City Attorney that the claim was neither notarized nor verified.

(Mrs. Brown came to the City Clerk's office later the same day and had the claim notarized).

On motion of Councilman Dail, seconded by Councilman Schneider, said claim was referred to the City Clerk with directions that he place the same on the agenda for the next Council meeting.

Communication from the Harbor Commission, signed by the Port Director, submitting two Ordinances approving rules and regulations adopted by the Commission, governing mooring of small craft, commercial and pleasure, in the Harbor of San Diego; governing motor vehicle and aircraft operation on Lindbergh Field, was presented.

On motion of Councilman Dail, seconded by Councilman Godfrey, said matter was continued for one week - until the meeting of September 25, 1951.

Communication from the Purchasing Agent, bearing the Acting City Manager's stamp of approval, reporting on bids for the furnishing of bulk Ferric Sulfate for six months' period beginning September 15, 1951, was presented.

RESOLUTION NO. 103685, recorded on Microfilm Roll No. 43, accepting bid of Stauffer Chemical Company for the furnishing of bulk Ferric Sulfate for a period of six months beginning September 15, 1951, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Kerrigan, adopted.

The contractor to whom the award was made was the sole bidder.

Communication from the Purchasing Agent, bearing the Acting City Manager's stamp of approval, reporting on bids for the furnishing of 5 Truck Chassis, Cabs and Bodies, 1 Jeep Automobile, 1 Wheel Tractor with Loader, recommending awards to J. R. Townsend Company, Inc., Willys Sales Company, American Equipment and Body Company, Tractor Supply Company on various items, there being 11 bids, was presented.

RESOLUTION NO. 103686, recorded on Microfilm Roll No. 43, accepting bid of American Equipment and Body Company for furnishing Item 6A, two special service bodies, Item 6B, two special service bodies, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103687, recorded on Microfilm Roll No. 43, accepting bid of Tractor Supply Company for furnishing one Ford Tractor, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103688, recorded on Microfilm Roll No. 43, accepting bid of Willys Sales Company for the furnishing of one Willys Jeep, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Wincote, seconded

RESOLUTION NO. 103689, recorded on Microfilm Roll No. 43, accepting bid of J. R. Townsend Company, Inc., for the furnishing of Truck Chassis, Cabs and Bodies: Item 1, two 1-1/2-ton Studebaker Chassis and Cabs; Item 2, one 1-1/2-ton Studebaker Chassis, Cab and Body; Item 3, two 1-1/2-ton Studebaker Chassis, Cabs and Bodies, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103690, recorded on Microfilm Roll No. 43, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of a storm drain at Lindbergh Field, authorizing and directing the Purchasing Agent to publish notice to con-

tractors calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on letter from First District Auxiliary, V.F.W., signed by Anna C. McConnell, President, relative to offer for presenting flag for use in Horton Plaza, stating that the Park and Recreation Director has contacted Mrs. McConnell and recommending filing, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from the City Manager reporting on communication from "Mustangs", The Association of Naval Officers from the Ranks, relative to their offers for water conservation, submitting copy of his reply which also recommended filing, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, the matter was ordered filed.

Communication from the Street Superintendent recommending denial of the petition for closing of the East and West Alley in Block 193 Pacific Beach, stating that closing would not be in the public interest, and advising that the alley is located between a large market and a paved parking lot, and that sewer and water mains are in the alley, was presented.

RESOLUTION NO. 103691, recorded on Microfilm Roll No. 43, denying petition for the closing of the East and West Alley in Block 193 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Street Superintendent recommending denial of the petition for closing of Myrtle Avenue from the east line of Georgia Street to the west line of Wilshire Terrace, stating that there are water and sewer mains and utility poles in the area sought to be closed, and advising that consideration would be given to a partial closing if requirements are met in regard to relocating of utilities or the granting of easements therefor, was presented.

RESOLUTION NO. 103692, recorded on Microfilm Roll No. 43, denying petition for the closing of Myrtle Avenue, between Georgia Street and Wilshire Terrace, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Division of Highways, signed by E. E. Wallace, District Engineer relative to the proposed relocation of portion of State Highway Route 2 (north and south of Balboa Avenue, on Pacific Highway), requesting advice as to whether a public hearing is necessary or desirable, was presented.

RESOLUTION NO. 103693, recorded on Microfilm Roll No. 43, referring communication from the State Highway Engineer relative to the proposed relocation of portion of Pacific Highway - State Highway Route 2* - was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

*to Council Conference

Communication from Eugene A. Horton, Suite 703 Bank of America Building, San Diego 1, representing three airline ticket agencies relative to the proposed legislation to regulate and supervise sale of airline tickets (the proposed Ordinance has been referred to Council Conference), was presented.

RESOLUTION NO. 103694, recorded on Microfilm Roll No. 43, referring communication from Eugene A. Horton, representing airline ticket agencies, relative to proposed regulation and supervision of the sale of airline tickets, to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from Dale Lighthizer, U.S.S. LSM 462, c/o Fleet Post Office, San Francisco, favoring the suggestion for extension of the period for the burning of street lights (The City Manager's office has advised the Council that arrangements have been made to accomplish the suggestion, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was ordered filed.

Communication from Old San Diego Chamber of Commerce, signed by Randolph S. Lyon, Secretary, requesting that assurance be given that its lease on City-owned property at 3960 Mason Street may be renewed at its expiration on September 30, 1952, was presented.

Councilman Swan asked if the date shown on the agenda for expiration - taken from the letter - was correct. No one present had the information, but the Mayor said that when a report is received from the City Manager, where the document should be referred, that information will be available.

On motion of Councilman Schneider, seconded by Councilman Dail, the matter was referred to the City Manager.

Communication from San Diego Neon Sign Co., 452 - 8th Avenue, San Diego 1, signed by A. W. Harper, requesting the Council's help relative to the Planning Department's information that installation of Neon outline on Ann Gio's Italian Food, 5462 La Jolla Boulevard, will not be allowed, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said matter was referred to the City Manager.

Communication from San Diego USO Advisory Council, 521 B Street, San Diego 1, signed by George Scott, General Chairman, relative to temporary housing service to be handled by the National Travelers' Aid, and seeking endorsement of the plan, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the matter was referred to the City Manager.

Communication from the Pacific Indemnity Company, dated September 11, 1951, signed by J. M. MacConnell, reporting on claim of A. H. Bernard in the sum of \$132.92 for damage to his automobile allegedly run into by a City-owned truck, reporting that investigation indicated negligence on the part of both drivers, that it had been denied by the Company more than sixty days ago and that no further action has been taken by the claimant and that the matter may be filed, was presented.

RESOLUTION NO. 103695, recorded on Microfilm Roll No. 43, denying claim of Alfred H. Bernard, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from the Pacific Indemnity Company, dated September 11, 1951, signed by J. M. MacConnell, reporting on claim of Casa de Mana Hotel at La Jolla, stating that investigation failed to disclose wherein the City was responsible to damage of their water pipes as the result of work being performed by the Electrical Division of the City, and recommending denial thereof, was presented.

RESOLUTION NO. 103696, recorded on Microfilm Roll No. 43, denying claim of Casa de Manana Hotel, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from the Pacific Indemnity Company, dated September 11, 1951, signed by J. M. MacConnell, reporting on claim of Lena Jordan in the sum of \$298.00, stating that investigation fails to indicate responsibility of the City of San Diego in an accident involving her car, was presented.

RESOLUTION NO. 103697, recorded on Microfilm Roll No. 43, denying claim of Lena Jordan, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103698, recorded on Microfilm Roll No. 43, directing notice of filing of the Street Superintendent's Assessment No. 2033, made to cover the costs and expenses of the work of installation of Sewers in Euclid Avenue, 51st Street, Geneva Avenue, Roswell Street, Winston Drive, Hilltop Drive, Melrose Place, Selma Place, Creston Drive, Hanover Street, Derby Street, Market Street, Beverly Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 99399, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 103699, recorded on Microfilm Roll No. 43, accepting bid of Daley Corporation and awarding contract for the paving and otherwise improving of Dodson Street, within the limits and as particularly described in Resolution of Intention No. 102943, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

A written report made by the City Engineer stated that the low bid was 16.8% below the estimate.

RESOLUTION OF AWARD NO. 103700, recorded on Microfilm Roll No. 43, accepting bid of San Diego Gas & Electric Company, and awarding contract, for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Lighting District No. 1, for a period of one year from and including January 1, 1951, to and including December 31, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 103701, recorded on Microfilm Roll No. 43, accepting bid of San Diego Gas & Electric Company, and awarding contract, for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District No. 1, for a period of one year from and including November 5, 1950, to and including November 4, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103702, recorded on Microfilm Roll No. 43, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 83 Point Loma Heights, approving Plat No. 2287 showing the

exterior boundaries of the district to be included in the assessment for said work and improvement, directing the City Clerk to file said plat in the office of the City Engineer upon the passage of the resolution of intention, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103703, recorded on Microfilm Roll No. 43, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 3 Wilshire Place, and Meade Avenue, approving Plat No. 2291 showing the exterior boundaries of the district to be included in the assessment for said work and improvement, directing the City Clerk to file said plat in the office of the City Engineer upon the passage of the resolution of intention, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 103704, recorded on Microfilm Roll No. 43, closing portion of Congress Street, within the limits described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103705, recorded on Microfilm Roll No. 43, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 4, for a period of one year from and including August 1, 1951, to and including July 31, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 103706, recorded on Microfilm Roll No. 43, for the paving and otherwise improving of the Alley in Block 83 Point Loma Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 103707, recorded on Microfilm Roll No. 43, for the paving and otherwise improving of the Alley in Block 3 Wilshire Place, and Meade Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 103708, recorded on Microfilm Roll No. 43, for the furnishing of electric current for the lighting of street lamps on mast arms attached to poles in Mission Beach Lighting District Number Two, and maintenance of mast arms, wires and lamps, for a period of one year from and including August 17, 1951, to and including August 16, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 103709, recorded on Microfilm Roll No. 43, for the furnishing of electric current for the lighting of the ornamental street lights located in Ocean Beach Lighting District Number One, for a period of one year, from and including August 14, 1951, to and including August 13, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 103710, for the changing of the grade on a portion of Talbot Street, within the limits described in said Resolution and to the grades set forth therein, directing the posting and publishing of notices thereof, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending amendment to proceedings for the improvement of the Alley in Block 41 Ocean Beach, to include the repaving of a portion of the termination of said Alley in Ebers Street, was presented.

RESOLUTION NO. 103711, recorded on Microfilm Roll No. 43, adopting recommendation of the City Engineer filed in the office of the City Clerk under Document No. 438191 and authorizing him to amend proceedings for improvement of the Alley in Block 41 Ocean Beach in accordance with said recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City Engineer recommending granting petition for improvement of portion of the Alley in Block 22 Fairmount Addition by private contract in accordance with plans and specifications filed in the office of the City Clerk under Document No. 438253 under City inspection, at no cost to the City, was presented.

RESOLUTION NO. 103712, recorded on Microfilm Roll No. 43, granting permission to Jack Fleig to grade by private contract the Alley in Block 22 Fairmount Addition, under the terms and on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103713, recorded on Microfilm Roll No. 43, giving notice of the proposed annexation to The City of San Diego of portions of Lots 75 and 79 and all of Lot 80 of Las Alturas Villa Sites, to be known and designated as "Donna Estates Tract", setting hearing for the hour of 10:00 o'clock A.M., October 4, 1951, thereon, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103714, recorded on Microfilm Roll No. 43, accepting bid of Edward Hugo Gillitzer for the purchase of City-owned portion of Lot 19 Block 16 Point Loma Heights, the highest, responsible and reliable bidder, at the auction sale conducted by the Property Supervisor on September 7, 1951, for \$1,175.00; authorizing and empowering the Mayor and City Clerk to execute a quitclaim deed therefor to Edward Hugo Gillitzer and Ethel Gillitzer, husband and wife, as joint tenants, for said property which is more particularly described in said Resolution; authorizing and directing the Property Supervisor to place said deed in escrow with directions that the same be delivered to the successful bidder when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103715, recorded on Microfilm Roll No. 43, accepting bid of Donald C. Harder for the purchase of portions of City-owned Lots 20, 21, and 22 Block 17 Point Loma Heights, the highest, responsible and reliable bidder, at the auction sale conducted by the Property Supervisor on September 6, 1951, for \$1,000.00; authorizing and empowering the Mayor and City Clerk to execute a quitclaim deed therefor to Wanda A. Harder, a married woman, for said property which is more particularly described in said Resolution; authorizing and directing the Property Supervisor to place said deed in escrow with directions that the same be delivered to the successful bidder when all escrows instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103716, recorded on Microfilm Roll No. 43, authorizing and directing the City Treasurer to exchange \$2,000,000 par value of 1-1/4% U.S. Treasury Notes purchased from inactive funds in the City Treasury, due October 1, 1951, for \$2,000,000 1-7/8% U.S. Certificates of Indebtedness, maturing September 1, 1952; authorizing and directing said Treasurer to sell all or such amount of said investments whenever additional cash is required for the purpose for which said funds were originally accumulated and placed in the Treasury of the City, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103717, recorded on Microfilm Roll No. 43, authorizing and empowering the City Manager to execute a concession lease agreement with Calvin Swalm of 4138 Cass Street, Pacific Beach, to operate a Junior Fire Truck in Balboa Park in the area immediately south of the merry-go-round and kiddie-car rides on the east side of Park Boulevard, and for the consideration of the City receiving 15 per cent of the gross revenue from said concession, and on the terms and conditions of the concession lease agreement, copy of which is on file in the office of the City Clerk as Document No. 438407; rescinding Resolution No. 103148, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103718, recorded on Microfilm Roll No. 43, amending Resolution No. 103396 authorizing the execution of a 49-year lease with the San Diego Humane Society to provide that the beginning date of the term shall be the first day of September, 1951, and ending date the 31st day of August 2000, ratifying and confirming the amendment by interlineation of the lease authorized by said Resolution, which lease is on file in the office of the City Clerk as Document No. 437463, consistent with the foregoing paragraph of said Resolution relating to the change, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103719, recorded on Microfilm Roll No. 43, authorizing and empowering the City Manager to enter into a contract on behalf of The City of San Diego, with the La Mesa, Lemon Grove & Spring Valley Irrigation District, establishing an initial rate per 1,000,000 gallons of \$22.00, for water filtered by City for District and prohibiting changes in such rate except upon 60 days written notice, all in accordance with terms and conditions set out in form of agreement filed with the City Clerk in Document No. 438417, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103720, recorded on Microfilm Roll No. 43, approving Change Order No. 2, dated August 20, 1951, heretofore filed with the City Clerk as Document No. 438348 and issued in connection with contract between the City and Guy F. Atkinson Company for construction of Morena Boulevard Bridge, contained in Document No. 433284 on file in the office of the City Clerk, changes amounting to an increase in contract price of approximately \$1,821.20, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103721, recorded on Microfilm Roll No. 43, granting permission to Industries Supply Company, 345 Fourth Avenue, San Diego 1, to install two driveways on the north side of J Street, between points 6 feet and 93-1/2 feet, and points 101-1/2 feet and 192 feet west of the west line of Fourth Avenue; two driveways on the east side of Third Avenue between points 19 feet and 39 feet north of the north line of J Street, all adjacent to Lots E, F and G Block 115 Horton's Addition, driveway widths to be measured at the top of the full-height curbing, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

~~RESOLUTION NO. 103722, recorded on Microfilm Roll No. 43, granting permission to El Cortez Hotel, 700 Ash Street, San Diego 1, to remove 10 feet of curb on the north side of Ash Street between points 42 feet and 52 feet west of the west line of Eighth Avenue, to install excess-width driveway approach to hotel garage by widening the present driveway adjacent to Lot 7 Block 11 Bay View Homestead, in accordance with all rules, regulations and Ordinances of The City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, referred to the City Manager.~~

~~(This Resolution was numbered and shown as being adopted - in error - where as it should have been shown as being referred to the City Manager.~~

RESOLUTION NO. 103723, recorded on Microfilm Roll No. 43, granting permission to General Petroleum Corporation, P.O. Box 1448, San Diego 12, to install a 30-foot driveway on the east side of Eleventh Avenue between points 70 feet and 100 feet south of the south line of B Street, adjacent to Lots A and B Block 24 Horton's Addition, driveway width to be measured at the top of the full-height curb, to serve service station being remodeled and enlarged, in accordance with all rules, regulations and ordinances, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103724, recorded on Microfilm Roll No. 43, authorizing Clara E. Breed, City Librarian, and Marco Thorne, Assistant Librarian, to attend the annual meeting of the California Library Association to be held in San Francisco October 3 to 6, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 4923 (New Series), recorded on Microfilm Roll No. 43, appropriating the sum of \$7,500.00 from the Unappropriated Balance Fund for the purpose of providing funds to defray the costs in connection with the sale of the 1951 Sewer and Water Works Bonds, and providing for the reimbursement of said Fund out of the 1951 Sewer and Water Works Bond Funds when the said bonds are sold, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4924 (New Series), recorded on Microfilm Roll No. 43, appropriating the sum of \$4,000.00 from the Capital Outlay Fund, for the purpose of providing additional funds to cover the cost of the construction of a storm drain from 43rd Street and University Avenue to 40th Street and Landis Street and in Block 69 City Heights, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4925 (New Series), recorded on Microfilm Roll No. 43, appropriating the sum of \$3,125.00 from the Unappropriated Balance, and transferring the same to Salaries and Wages, Property Management Division Fund, for the payment of the salary of an additional Right of Way Agent, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4926 (New Series), recorded on Microfilm Roll No. 43, appropriating the sum of \$800.00 from the Unappropriated Balance, and transferring the same to "Maintenance and Support," Electrical Division, Public Works Department Fund, to be used for the purchase of materials required to place 55 street lights at Sunset Cliffs in service,

103721;
103723 - 103724
4923 N.S. - 4926 N.S.

was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Proposed Ordinance amending Section 6 of Ordinance No. 3675 (New Series), relating to powers and duties of the San Diego Sports Commission, continued from the meeting of September 11, 1951, was presented at this time.

RESOLUTION NO. 103725, recorded on Microfilm Roll No. 43, referring the matter of the proposed Ordinance amending Section 6 of Ordinance No. 3675 (New Series), adopted March 2, 1948, relative to powers and duties of the Sports Commission, to the City Manager and to the City Attorney for report to the Council for the meeting of September 25, 1951, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 4927 (New Series), recorded on Microfilm Roll No. 43, regulating uses of the Wabash Boulevard - as a Freeway - making it unlawful to ride, drive or lead a horse or other livestock except upon trails specifically provided and marked for equestrian use; making it unlawful to permit livestock to stray thereupon; making it unlawful for any pedestrian to walk along, or across the roadway, except in pursuit of authorized activities by properly designated personnel, or in the event of emergencies involving vehicles; making it unlawful to ride a bicycle, scooter, or other device moved by human power or the force of gravity; making it unlawful to park an automobile or motor vehicle on the paved strips and oiled shoulders and the parking on or driving of a motor vehicle across or over any separation strip or landscaped area, except on spaces specifically provided and marked as parking areas; authorizing and directing installation of necessary signs and markings; providing penalty for violation; was on motion of Councilman Schneider, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The City Manager requested, and was granted, unanimous consent, to present the next two matters, not listed on the Council's agenda:

RESOLUTION NO. 103726, recorded on Microfilm Roll No. 43, permitting plumbing vent risers of Type L, copper tubing, in remodeling of the Administration Building in the Municipal Airport, in lieu of the cast iron type as ordinarily required, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(As petitioned for by Fred A. Heilbron & Sons - plumbers).

RESOLUTION NO. 103727, recorded on Microfilm Roll No. 43, amending paragraph marked "2" of Resolution No. 103569 adopted August 30, 1951, to read "that a one-story building approximately 30 x 100 feet be constructed of concrete blocks adjacent to the rear lot line", was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

(Although the Resolution does not so state, reference is made to the Council's Resolution which overruled the decision of the Zoning Committee and granted zone variance to Lloyd Penick for erection and operation of a construction yard at 34th & Pickwick Streets).

The Mayor asked the Council to approve the trip which he had made on August 23, and 24, 1951, to consult with Dick Graves.

RESOLUTION NO. 103728, recorded on Microfilm Roll No. 43, ratifying the expenses incurred by Mayor John D. Butler in connection with trip made by him on August 23 and 24, 1951, to Berkeley, California, for the purpose of conferring with Dick Graves of the League of California Cities, Civil Defense, and other business of interest to the City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The following communications were shown on the agenda as having been referred to the City Manager by the City Clerk, to expedite handling before presentation to the Council:

Opposition to further rent control (4 items);
Opposition to the fluoridation of drinking water (2 items);
Calling for more strict control of dogs, etc. in the proposed ordinance.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Dail, at the hour of 11:04 o'clock A.M.

ATTEST: FRED W. SICK, City Clerk

By August M. Sandstrom Deputy

John D. Butler
Mayor of the City of San Diego

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, September 20,
1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

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

At this time Mayor Butler announced, from a letter he received from Belle Benchley, director of the San Diego Zoo, that there will be a Zoo telecast on September 22, at 6:00 P.M., and invited those present to view it.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the proposed annexation of land in The Highlands, Rosedale, Rancho Mission of San Diego, to be known as "Torgerson-Platner Tract", it was announced that Ferdinand Fletcher, attorney for the owners of the property, was in another office of the City in connection with details in the matter, and had asked that the matter be deferred temporarily, to permit his attendance.

As requested, the hearing was deferred awaiting Mr. Fletcher's arrival.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Rudolph O. Funke and Louise Funke, 4694 Winona Avenue, from the decision of the Zoning Committee in denying by its resolution No. 5843 their application for variance to the provisions of Ordinance No. 2716 New Series to permit erection of a second living unit on Lots 1 and 2 Block D Montecello, at 4694 Winona Avenue, in Zone R-1, the report from the Senior Planning Technician was presented and read.

Glenn A. Rick, City Planning Director, told the Council that the area had been rezoned in 1943 from the then Zone R-4 to R-1 on petition of property owners and after proper hearings. He said granting of this request would be a first break down in the zoning, and would probably be followed by more.

The Mayor inquired if anyone was present to represent the appellants.

Mrs. Funke spoke. She said that she had received the wrong information from the Planning Department's office. "People are in favor of it", she said, and contended that granting of the variance to erect the second dwelling would improve the property. She reiterated that everybody is for it. Also, Mrs. Funke said that she had gone to great effort to secure signatures on her petition.

In attempt to clarify the situation as presented by Mrs. Funke about plans for the building although the zone did not permit what she asked for, Mr. Rick spoke again. He said that permit would be refused on the plans for the building. He told of the procedure for petitioning for variance. He said that clerks are not authorized, and cannot advise petitioners or prospective petitioners on the outcome of action by members of the Commission or the Council.

Mrs. Funke said that the gentleman who gave her the application knew all about it.

The Mayor told of the City's procedure and attitudes toward changes in zone and zone variances.

Councilman Schneider said that the Planning Department has a law to carry out, but that in 8 years conditions have changed. He said that much property is unbuilt upon, and needs to be built up to provide residences close to town, especially where there is space therefor and no objections.

Councilman Wincote asked Mrs. Funke if the neighbors want her to build.

Mrs. Funke said she does not want to build, but that neighbors want her to, to improve the lot. She asked the Council to inspect the property.

Councilman Kerrigan said that is opposite to what property owners in the district had wanted in 1943, and said that perhaps the area should be changed to provide for multiple residences.

Councilman Wincote said that is apparently the way to improve unsightly vacant property.

Mrs. Botscheller, 4681 - 49th Street, a neighbor, expressed approval of the the additional building on the lot. She favored making an R-2 zone of the property.

The Mayor said that perhaps a zone change of the area is indicated, rather than individual variance or variances.

Mr. Ashbury, 4718 Winona, spoke regarding the zone change which had been made in 1943. He said its purpose was to prevent government housing from being erected in what was then undeveloped property. He said that some of the lots now have houses on the back of the property, but are prevented by the zoning from building on the front portions on account of the R-1 restrictions. He said putting residences on those lots would improve their appearance.

Councilman Wincote said that no one cannot commit the City in advance, of any zone change. He said that even if application were made for the zone change, it might be protested out, and the fee lost (a point made by Mrs. Funke relative to losing the money paid for which she received no zone variance).

Mr. Rick, referring to the statement about barring Government housing, said that the Federal Government is not bound by the City's zoning, which is not compelling and added that the Government has ignored that point in many instances.

Councilman Schneider argued that the City should consider the condition as of now, rather than as of 1943.

Mrs. Stromwall, 4660 - 50th Street, spoke about the original zone change, and said that property owners are not satisfied with the results, and thought that architectural control would accomplish a better appearance.

Asked if she would approve of additional buildings being placed on the lots, under a possible zone change, Mrs. Stromwall said that might present the appearance of a motel, and that it would open the way for everybody to put houses on the backs of their lots.

Councilman Schneider moved to sustain the appeal, and overrule the decision of the Zoning Committee. No second was received.

Councilman Wincote said that what Mrs. Funke is asking for can be accomplished by a zone change.

Councilman Kerrigan, when Mrs. Funke objected to putting out another fee for a zone change application and having to circulate another petition, said that change of the area's zoning could be instituted by the City.

Councilman Schneider now moved to direct that the Council hold hearings on the re-zoning of the area. That motion was not seconded.

Councilman Godfrey moved to deny the appeal and sustain the action of the Zoning Committee, which motion was seconded by Councilman Wincote.

RESOLUTION NO. 103729, recorded on Microfilm Roll No. 43, sustaining the action of the Zoning Committee in denying by its Resolution No. 5843 the application of Rudolph O. Funke and Louise Funke for variance to the provisions of Ordinance No. 2716

New Series to erect a second living unit on Lots 1 and 2 Block D Montecello, at 4694 Winona Avenue, in Zone R-1, and denying the appeal therefrom, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Councilman Schneider moved to request the Planning Commission to hold hearings leading to the change of the area under discussion from the existing R-1 Zone to Zone R-2 - the area to be set up by said Commission - which motion did not receive a second.

The City Attorney said that if it is the Council's desire to accomplish such rezoning his office should be instructed by resolution to preparation providing for the starting of proceedings to rezone, for the area as changed from R-4 to R-1 in 1943, and that he would then prepare the necessary documents therefor.

Councilman Godfrey and the Mayor said that owners may not want the zone changed, despite their endorsement of the Funke application for variance. Mr. Godfrey said that the City should not be put into the position of going into the change unless it is desired by the property owners. He said that any proposed change should come about upon initiation through petition.

The Mayor advised Mrs. Funke to petition for change of zone upon the property, if she desires to do so, and reiterated that there is no assurance that it would be accomplished even if the application is made.

The Mayor declared the hearing concluded, and asked the Council to return to the first matter on the agenda.

The hearing for the proposed annexation of land in The Highlands, Rosedale, Rancho Mission of San Diego, to be known as "Torgerson-Platner Tract", which had been continued temporarily, was considered at this time.

Ferdinand Fletcher, attorney for the applicants for such annexation, said that easements requested by the City have been taken to the Title Company, but that they have not been checked for description, and urged the Council to adopt the Ordinance, after any adjustments and corrections in description can be made. The descriptions, he said, followed those set out by the City Engineer, so should be accurate.

Motion was made and seconded to place the ordinance upon its final passage.

Before the roll was called, the following took place:

The Mayor urged adoption of the ordinance now, for correction of descriptions later, if necessary.

The City Manager said that zoning, heretofore referred to at other hearings, will follow the annexation.

Councilman Godfrey asked if all of the agreement (requested the last time the matter was before the Council) contained in writing.

The City Attorney said that the City cannot predetermine all the several things proposed for such an agreement, relative to zoning, restricting industrial zones to industry exclusively, at this time. He said that the owners of the property cannot bind themselves to something of future determination. He said that if they were to agree ahead of time to the several matters requested by the Council that it would mean nothing. Also, he said that dwellings can be constructed in M-1 zones now. The Council, he said, has discussed new legislation on that point, which can be covered by ordinance at a later date.

There was no further discussion.

ORDINANCE NO. 4928 (New Series), recorded on Microfilm Roll No. 43, approving the annexation to The City of San Diego of Lots 7, 8, 9, 10, 23 and 24 of the Highlands, Lot 6 Block 10, and Lots 1, 2, 3 and 4 Block 21 Rosedale, portions of Lots 72 and 78 of Rancho Mission of San Diego, in the County of San Diego, to be known and designated as "Torgerson-Platner Tract", was on motion of Councilman Wincote, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Arthur E. Wilson, 4244 Midway Drive, from the decisions of the Zoning Committee in denying his requests for variance to the provisions of Ordinance No. 8924 Section 4, to construct residences and garages, with 5-foot sideyards for residences and 4-foot sideyards for the garages, by its several resolutions on applications Nos. 9743, 9744, 9745, 9746, 9747, 9748, 9749, 9750, 9751, 9752, 9753 and 9754, on Lots 108, 109, 110, 114, 115, 116, 117, 118, 119, 120, 121 and 122 Euclid Manor, located on Manzanares Way, in Zone R-1, the report from the Senior Planning Technician was presented and read.

The Planning Director reported on the situation. He told the Council that the houses had been designed too wide, and that the builders would not change the plans. He said that adjustments could be made in reducing the widths of the rooms and moving over garages. He said that the Veterans' Administration had made commitments for loans on the property, and that it is now up to the Council to decide what shall be done. He said that no work had been started, except on one house.

Mr. Wilson, the appellant, said that houses have been sold in advance of contraction, and that he cannot go back now to make the changes. He said that 80 houses are to be built, and that 34 are completed. Mr. Wilson said that when the error had been discovered, he stopped construction and made application for variance.

RESOLUTION NO. 103730, recorded on Microfilm Roll No. 43, sustaining the appeal of Arthur E. Wilson, 4244 Midway Drive, San Diego, from the decision of the Zoning Committee in denying by its Resolutions Nos. 5853, 5854, 5855, 5856, 5857, 5858, 5859, 5860, 5851, 5862, 5863, and 5864, his applications Nos. 9743, 9744, 9745, 9746, 9747, 9748, 9749, 9750, 9751, 9752, 9753 and 9754, for variance to the provisions of Ordinance No. 8924, to permit the building of a residence and garage - residence to have a 5-foot sideyard, garage to have a 4-foot sideyard - on each of Lots 107 to 110 inclusive, and on each of Lots 115 to 122 inclusive Euclid Manor, located on Manzanares Way, in Zone R-1, overruling said Zoning Committee decision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Petition of Park West Civic Association, signed by Margaret Aiken, Secretary, dated September 18, 1951, requesting that inasmuch it will be some time before a signal is installed at Fifth and Laurel, that four-way stops be installed, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said matter was referred to the City Manager.

Claim of Anthony F. Brown, 4523 Maryland Street, in the sum of \$16.14, for damage to automobile by City trash truck, was presented.

RESOLUTION NO. 103731, recorded on Microfilm Roll No. 43, referring claim of Anthony F. Brown to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Claim of Jessie R. Brown, 4334 Myrtle Street, San Diego, in the sum of "over \$150.00", for personal injury resulting from fall on the sidewalk, was presented.

RESOLUTION NO. 103732, recorded on Microfilm Roll No. 43, referring claim of Jessie R. Brown to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Subrogation claim of State Farm Insurance Companies, P.O. Box 870, 117 E. Colorado, Pasadena 1, California, relative to damage to automobile owned by Kenneth R. Conger, in the sum of \$251.53, by City-owned Refuse Department vehicle, was presented.

RESOLUTION NO. 103733, recorded on Microfilm Roll No. 43, referring claim of Kenneth R. Conger, by the State Farm Insurance Companies, to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Claim of Joe M. Quintana, by Alfred M. Klein, law offices of Victor C. Rose, suite 631 Rives-Strong Building, 112 West Ninth Street, Los Angeles 15, in the sum of \$15,000.00, for personal injuries resulting from fall into water tanks and structures on El Cajon Blvd., tanks owned by the City, was presented.

RESOLUTION NO. 103734, recorded on Microfilm Roll No. 43, referring claim of Joe M. Quintana to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Earl Warren, Governor of the State of California, recommending that the City of San Diego send the Mayor to a conference of Pacific Coast Mayors to be held in Tokyo, Japan, from October 30th to November 10, 1951, was presented.

Said communication was referred to the City Attorney.

Communication from the City Planning Commission, signed by the Asst. Planning Director, recommending denial of the petition for rezoning of portion of Pueblo Lot 264 northeasterly of Morena Boulevard from the existing R-1 and C Zones, to Zone M-1, stating that protests had been received from 65 ownerships within a radius of 1000 feet of the property, was presented.

RESOLUTION NO. 103735, denying petition for the rezoning of portion of

Pueblo Lot 264 from R-1 and C Zones to M-1 Zone, as recommended by the City Planning Commission, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission, signed by the Asst. Planning Director, recommending granting of the petition for rezoning of property in Blocks 212, 213, 228 and 229 Roseville, from the existing R-1 Zone to Zone R-2, and reference to the City Attorney for drafting of an ordinance, was presented.

Said communication was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the City Planning Commission, signed by the Asst. Planning Director, recommending granting the School Board's petition to rezone portions of Lots 9 and 11 of Lemon Villa, from the existing R-1 Zone to Zone R-2, for construction of school buildings northerly of Trojan Avenue on 54th Street, was presented.

Said communication was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the City Planning Commission, signed by the Asst. Planning Director, recommending changing the name of Santa Rita Way in Euclid Manor to Santa Rosalia Road, due to similarity of a street name in Mission Beach, was presented. It was stated that there are no completed residences on the street and that the name will be changed before any of the houses under construction are occupied.

RESOLUTION NO. 103736, recorded on Microfilm Roll No. 43, adopting recommendation of the City Planning Commission for changing the name of Santa Rita Way in the subdivision of Euclid Manor to Santa Rosalia Road, directing the City Attorney to prepare and present the necessary Ordinance, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission, signed by the Asst. Planning Director, recommending changing the name of Tremont Street in the subdivision of Arnold Park to Tilden Street, due to a street of the same name in Chollas View Housing Project although that name has no official standing, was presented.

RESOLUTION NO. 103737, recorded on Microfilm Roll No. 43, adopting recommendation of the City Planning Commission for changing the name of Tremont Street in Arnold Park to Tilden Street, directing the City Attorney to prepare and present the necessary Ordinance, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission, signed by the Asst. Planning Director, recommending changing the name of Valencia Drive between Trieste Drive in the subdivision of Sunset Crest, to La Paloma Street, due to a street of the same name in the Rolando area immediately adjacent to the City, was presented. The report stated that there is only one residence in the Point Loma area, whereas there are 59 homes on that street in Rolando.

RESOLUTION NO. 103738, recorded on Microfilm Roll No. 43, adopting recommendation of the City Planning Commission for changing the name of Valencia Drive between Trieste Drive and Moana Drive in Sunset Crest to La Paloma Street, directing the City Attorney to prepare and present the necessary Ordinance, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from De Falco's Market Co., by L. E. De Falco, 1703 India Street, relative to complaint made by one Esther E. Bradbury relative to lack of fence, etc., at the Point Loma Market, Keats and Locust Streets, stating that planting of hedge will be made to grow to a 6-foot height, and planting has been made, requesting approval for the deviations made from the conditions, was presented.

Said communication was ordered filed.

Communications from the following individuals and organizations, relative to the recontrolling of rents in San Diego, and requesting the Council to decontrol them, were presented:

El Cajon Boulevard Civic Association, 6426 El Cajon Blvd.;
 Mrs. Wm. Gray, no address;
 E. H. Gray, 555 - 18th Street;
 Dr. Allen L. Spencer, D.C., 1915 B Street;
 Mr. and Mrs. van den Akker, 825 Johnson Ave.;
 Hazel K. Reed, 3154 Horton Ave.;
 R. W. Haustein, no address;
 H. N. McKie, 3268 Third Ave.
 Mrs. Hugh McKie, 3268 - 3rd Ave.
 C. E. Foss, San Diego 7;
 Mrs. H. A. Bentzien, 4314 Maryland St.;
 Theodore M. Jacobs, 530 Broadway;
 Mrs. E. Lincoln, no address;
 H. F. Landt, E. P. Minson, 1964 Fifth Ave.;
 Mrs. Effie W. MacLachlan, 3233 - 3 Ave.;

(list of names continued on next page)

Clarrie R. Chapman, Route 2, Box 2253, Carlsbad;
 Philomena Anderson, 2528 C St.;
 Florence Sappington, 1751 University Ave.;
 San Diego Realty Board Board of Directors, by John Cotton, President;
 On motion, said communications were ordered filed.

Communication from San Diego County Tri-Pyramids 32 - 55 - 56, Ancient Egyptian Order of Sciots, by I. Jacobson, Grand Parade Chairman, thanking the Council for the City's cooperation during the recent Isle of Chyos Ceremonial and Parade, was presented.

Said communication was filed.

Communication from the Pacific Indemnity Company, dated September 14, 1951, signed by J. M. MacConnell, reporting on claim of Helen M. Henderson, 1921 - 33rd Street, in the sum of \$458.62 for damage to her automobile by a City-owned truck and for loss of use of the automobile, stating that the case had been closed by payment of \$358.62 on August 30, 1951, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was ordered filed.

Communication from the Pacific Indemnity Company, dated September 18, 1951, signed by J. M. MacConnell, reporting on claim of Mrs. O. Glenn Gardner, in behalf of her son Bob Gardner, for personal injury sustained on the beach at Santa Clara Point, Mission Beach, stating that the case had been closed by payment of \$25.00 on September 11, 1951 - the amount of the claim - was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was ordered filed.

Communication from the Pacific Indemnity Company, dated September 18, 1951, signed by J. M. MacConnell, reporting on claim of Frank R. George in the sum of \$42.50, for damage to fence by a driverless City-owned truck, stating that the case had been closed by payment of \$42.00 on September 17, 1951, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was ordered filed.

Communication from the Pacific Indemnity Company, dated September 18, 1951, signed by J. M. MacConnell, reporting on claim of B. J. Elander in the sum of \$4.39 for window broken by a piece of pipe while workmen were repairing water line on Arizona Street, stating that the case had been closed by payment of said amount, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was ordered filed.

Communication from the Pacific Indemnity Company, dated September 18, 1951, signed by J. M. MacConnell, reporting on claim of Ruth Shockman and M. L. Shockman, LaMoure, North Dakota, in the sum of \$17,206.23, resulting from personal injuries sustained by Ruth Shockman in a fall at the San Diego Zoo, stating that the case was closed by cancellation September 14, 1951, was presented.

RESOLUTION NO. 103739, recorded on Microfilm Roll No. 43, denying claim of Ruth Shockman and M. L. Shockman, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Councilman Dail was excused from the meeting at this time - and did not return.

RESOLUTION NO. 103740, recorded on Microfilm Roll No. 43, accepting deed of Ernest T. Lamb and Mary Lamb, bearing date August 21, 1951, conveying portion of Lot 36 of The Highlands, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103741, recorded on Microfilm Roll No. 43, accepting deed of Charles V. Noland and Catherine H. Noland, bearing date September 6, 1951, conveying a portion of Lot 37 of The Highlands, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103742, recorded on Microfilm Roll No. 43, accepting deed of E. L. Vardeman and Ovis Vardeman, bearing date September 6, 1951, conveying a portion of

Lot 36 of The Highlands, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103743, recorded on Microfilm Roll No. 43, accepting deed of San Diego Associates, Incorporated, bearing date August 9, 1951, conveying an easement and right of way for street purposes in portions of Lots 9, 13, 14 Waterville Heights, and a portion of Orange Avenue closed by Resolution No. 41747 of the Common Council, setting aside and dedicating portions thereof as and for public streets, and naming the same 58th Street, Olympic Street, and 58th Place, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103744, recorded on Microfilm Roll No. 43, accepting deed of O. R. Reed and Grace Koop Reed, bearing date August 24, 1951, conveying portion of Lot 3 Block 392 Old San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103745, recorded on Microfilm Roll No. 43, accepting deed of Bessie L. Estep and Lorenzo D. Estep, bearing date September 8, 1951, conveying a portion of Lots 33 and 34 Lemon Villa, setting aside and dedicating the same to the public use as and for a public street, and naming the same 54th Street and Ogden Street, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103746, recorded on Microfilm Roll No. 43, accepting deed of Charles J. Houtteman and Herbert P. Rippe, bearing date August 27, 1951, conveying a portion of Pueblo Lot 1286, setting aside and dedicating the same to the public use as and for a public street, and naming the same Torrey Pines Road, authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103747, recorded on Microfilm Roll No. 43, accepting deed of Elliott Sherwood Wyman and Rosalie Wyman, bearing date September 6, 1951, conveying a portion of Lot 2 Block 3 Amalfi, setting aside and dedicating the same to the public use as and for a public street, and naming the same Torrey Pines Road, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103748, recorded on Microfilm Roll No. 43, accepting deed of Joseph Whiser, bearing date September 11, 1951, conveying portions of Lots 34 and 35 and all of Lots 36 through 48 Block 2 G. H. Crippen's Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabash Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103749, recorded on Microfilm Roll No. 43, accepting deed of Joseph Whiser, bearing date September 11, 1951, conveying Lots 20 through 24 Block 1 G. H. Crippen's Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabash Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103750, recorded on Microfilm Roll No. 43, accepting deed of Joseph Whiser, bearing date September 11, 1951, conveying Lot 31 Block 2 G. H. Crippen's Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabash Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103751, recorded on Microfilm Roll No. 43, accepting deed of Joseph Whiser, bearing date September 11, 1951, conveying Lots 27 and 28 Block 2 G. H. Crippen's Addition, setting aside and dedicating the same to the public use as and for a public street and naming the same Wabash Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103752, recorded on Microfilm Roll No. 43, accepting deed of Joseph Whiser, bearing date September 11, 1951, conveying Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 Block 1 G. H. Crippen's Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabash Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103753, recorded on Microfilm Roll No. 43, accepting deed of Charles E. Arnold, bearing date August 30, 1951, conveying Lots 15, 16, 17 and 18 Block 3 DePuy's Subdivision of the Westerly half of the Northwest quarter of Pueblo Lot 206, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabaska Drive, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103754, recorded on Microfilm Roll No. 43, accepting deed of Virginia R. Cook and Roy A. Cook, bearing date August 11, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 37 Block 2 Corella Tract, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103755, recorded on Microfilm Roll No. 43, accepting deed of Virginia R. Cook and Roy A. Cook, bearing date August 11, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 270 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103756, recorded on Microfilm Roll No. 43, accepting deed of Minnie Haile Howell and Lorene Hendrix Stone, bearing date July 20, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 6 Block 1 DePuy's Addition, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103757, recorded on Microfilm Roll No. 43, accepting deed of San Diego Associates, Incorporated, bearing date August 9, 1951, conveying an easement and right of way for sewer purposes in a portion of Lot 10 Block "G" El Cerrito Heights Unit No. 3, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

ORDINANCE NO. 4929 (New Series), recorded on Microfilm Roll No. 43, establishing the grade of Hopkins Street between the southerly line of Shaw Street and a line produced easterly at right angles from a point on the westerly line of Hopkins Street and distant 99.36 feet northerly from the intersection of the westerly line of Hopkins Street with the northerly line of Shaw Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4930 (New Series), recorded on Microfilm Roll No. 43, establishing the grade of Winchester Street between the northeasterly line of Reo Drive and a line produced southeasterly at right angles to the northwesterly line of Winchester Street at the intersection of the northwesterly line of Winchester Street with the southwesterly line of Rancho Drive, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The City Manager requested, and was granted unanimous consent to present the next matter which had been before the Council on September 4, 1951, and on September 11, 1951, and had been referred to Council Conference:

ORDINANCE NO. 4931 (New Series), recorded on Microfilm Roll No. 43, appropriating the sum of \$100,000.00 from the Capital Outlay Fund for the purpose of providing funds for the widening of Sixth Avenue from Pennsylvania Street to University Avenue, and expenses incident thereto, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The City Manager requested, and was granted, unanimous consent to present the next matter which was not on the Council's agenda:

RESOLUTION NO. 103758, recorded on Microfilm Roll No. 43, setting a hearing before the City Council at the hour of 2:00 o'clock P.M. on the 23rd day of October, 1951, in the City Council Chamber, for the purpose of hearing arguments for and against fluoridation of water furnished to the citizens of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

At the hour of 11:05 o'clock A.M., the Council took a recess, on motion of Councilman Godfrey, seconded by Councilman Wincote, until the hour of 2:00 o'clock P.M., this date.

Upon reconvening, at the hour of 3:13 o'clock P.M., the roll call showed the following:

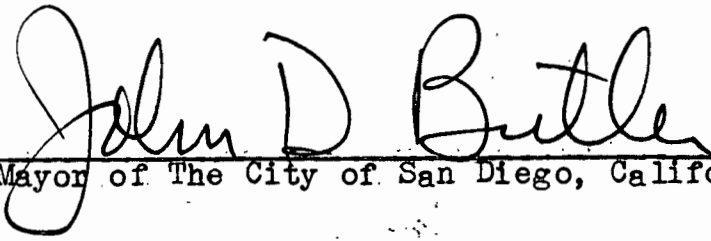
Present--Councilmen Schneider, Kerrigan, Godfrey, Mayor Butler.
Absent---Councilmen Swan, Wincote, Dail
Clerk----Fred W. Sick

RESOLUTION NO. 103759, recorded on Microfilm Roll No. 43, referring to Council Conference for consideration at the hour of 9:30 o'clock A.M., of Tuesday, September 25, 1951, the matter of amendments to the Zoning Ordinance relating to construction of residences in industrially-zoned areas of the City, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

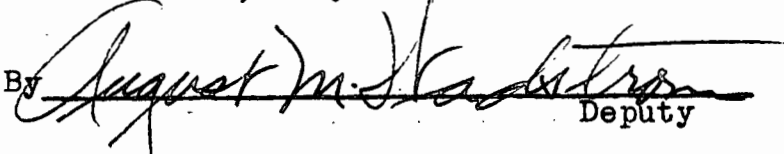
The following items were listed on the agenda, shown as having been referred by the City Clerk to the City Manager for handling:

Communications protesting use of fluorine in City drinking water;
Petition for installation of street light at the intersection of Dwight Street and Chamoune Avenue;
Petition of the Salvation Army for permission to place Christmas kettles on various street corners;
Communication from Ed Sullivan relative to alleged rent refund due him at 4296 University Avenue.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Godfrey, at the hour of 3:15 o'clock P.M.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, September 25, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:00 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler.

Absent----None.

Clerk-----Fred W. Sick

The minutes of the Regular Meetings of Tuesday, September 18, 1951 and of Thursday, September 20, 1951, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the Dredging and filling, De Anza and Vicinity, Mission Bay, as particularly described in certain drawings and specifications contained in Document No. 437682, the Clerk reported that two bids had been received, which bids were presented to the Council and on motion duly made and seconded were opened and publicly declared.

Said bids were as follows:

The bid of Franks Dredging Co., a Joint Venture composed of Fred C. Franks, John C. Franks, and Guy F. Atkinson Company, a Nevada Corporation, accompanied by a bond from the Fidelity and Deposit Company of Maryland, for Ten Percent (10%) of the amount of the attached bid; which bid was given Document No. 438846.

The bid of San Francisco Bridge Company, a California Corporation, accompanied by a bond from the United States Guarantee Company in the sum of \$50,000.00; which bid was given Document No. 438847.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of the Alley in Block 2, Subdivision of Lots 7 to 17, inclusive, Block N, Teralta, within the limits and as particularly described in Resolution of Intention No. 103135, the Clerk reported that three bids had been received, which bids were presented to the Council and on motion duly made and seconded were opened and publicly declared.

Said bids were as follows:

The bid of V. R. Dennis Construction Co., accompanied by a bond written by the American Surety Company of New York in the sum of \$600.00; which bid was given Document No. 438848.

The bid of T. B. Penick & Sons, accompanied by a bond written by the Massachusetts Bonding and Insurance Company, in the sum of \$600.00; which bid was given Document No. 438849.

The bid of John B. Henry, accompanied by a bond written by the Fidelity and Casualty Company of New York, in the sum of \$500.00; which bid was given Document No. 438850.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Godfrey, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Brant Street and Washington Street, within the limits and as particularly described in Resolution of Intention No. 103136, the Clerk reported that four bids had been received, which bids were presented to the Council and on motion duly made and seconded were opened and publicly declared.

Said bids were as follows:

The bid of R. E. Hazard Contracting Co., accompanied by bond written by the Pacific Indemnity Company in the sum of \$650.00, which bid was given Document No. 438851.

The bid of V. R. Dennis Construction Co., accompanied by bond written by the American Surety Company of New York in the sum of \$700.00, which bid was given Document No. 438852.

The bid of Daley Corporation, accompanied by bond written by the Glens Falls Indemnity Company in the sum of \$600.00, which bid was given Document No. 438853.

The bid of Griffith Company, accompanied by bond written by the National Surety Corporation in the sum of \$600.00, which bid was given Document No. 438854.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

At this time Councilman Dail was excused from the meeting.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set

for the receiving of bids for the paving and otherwise improving of Niagara Avenue and Catalina Boulevard, within the limits and as particularly described in Resolution of Intention No. 103137, the Clerk reported that four bids had been received, which bids were presented to the Council and on motion duly made and seconded were opened and publicly declared.

Said bids were as follows:

The bid of V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$1300.00, which bid was given Document No. 438855.

The bid of Griffith Company, accompanied by bond written by the National Surety Corporation in the sum of \$1300.00, which bid was given Document No. 438856.

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$1200.00, which bid was given Document No. 438857.

The bid of T. B. Penick & Sons, copartners, accompanied by bond written by the Massachusetts Bonding and Insurance Company in the sum of \$1200.00, which bid was given Document No. 438858.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

At this time Councilman Dail returned and took his place on the Council.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Thorn Street and 45th Street, within the limits and as particularly described in Resolution of Intention No. 103134, the Clerk reported that four bids had been received, which bids were presented to the Council and on motion duly made and seconded were opened and publicly declared.

Said bids were as follows:

The bid of R. E. Hazard Contracting Co. accompanied by bond written by the Pacific Indemnity Company in the sum of \$1500.00, which bid was given Document No. 438859.

The bid of V. R. Dennis Construction Co., accompanied by a bond written by the American Surety Company of New York in the sum of \$1700.00, which bid was given Document No. 438860.

The bid of Daley Corporation, accompanied by a bond from the Glens Falls Indemnity Company, in the amount of \$1500.00, which bid was given Document No. 438861.

The bid of Griffith Company, accompanied by a bond from the National Surety Corporation, in the amount of \$1500.00, which bid was given Document No. 438862.

Thereupon, on motion of Councilman Swan, seconded by Councilman Godfrey, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the installation of sewers in Balboa Avenue, Pasadena Street, Albuquerque Street, De Soto Street, Del Rey Street, Santa Fe Street, Pacific Highway and Public Rights of Way, within the limits and as particularly described in Resolution of Preliminary Determination No. 103514, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 103760, recorded on Microfilm Roll No. 43, determining that the proposed improvement for the installation of sewers in Balboa Avenue, Pasadena Street, Albuquerque Street, De Soto Street, Del Rey Street, Santa Fe Street, Pacific Highway and Public Rights of Way, within the limits and as particularly described in Resolution No. 103514 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of Gamma Street, 42nd Street and Beta Street, within the limits and as particularly described in Resolution of Intention No. 103448, the Clerk reported that written protests had been received from Charles Richard Clark and Lelah M. Clark, C. Nielsen and Ruth G. Nielsen and from Alex P. Rasumow and Helen Rasumow; which protests were presented.

The City Engineer reported orally on the protests; stating that they were all area assessments and protestants would pay a very small portion of the total assessment.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally.

All interested persons having been heard, RESOLUTION NO. 103761, recorded on Microfilm Roll No. 43, overruling and denying the protest of Charles Richard Clark and Lelah M. Clark, filed under Document No. 438841; the protest of C. Nielsen et ux., filed under Document No. 438863; and the protest of Alex P. Rasumow and Helen Rasumow, filed under Document No. 438864; and overruling and denying all other protests against the work of paving and otherwise improving of Gamma Street, 42nd Street and Beta Street, as described in Resolution of Intention No. 103448; was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

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

the paving and otherwise improving of San Juan Place, Alleys in Blocks 155, 159 and 160, Mission Beach; and Bayside Lane; within the limits and as particularly described in Resolution of Intention No. 103449, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested property owners were present who desired to be heard.

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

On motion of Councilman Swan, seconded by Councilman Schneider, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's assessment No. 2032 made to cover the cost and expenses of the paving and otherwise improving of Wilbur Avenue, between Lamont Street and the westerly line of Acre Lot 21, Pacific Beach, within the limits and as particularly described in Resolution of Intention No. 100896, the Clerk reported that no appeals had been received.

Thereupon, the Mayor inquired if any interested persons and affected property owners were present who desired to be heard.

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

RESOLUTION NO. 103762, recorded on Microfilm Roll No. 43, confirming and approving the Street Superintendent's Assessment No. 2032, made to cover the cost and expenses of the paving and otherwise improving of Wilbur Avenue, between Lamont Street and the westerly line of Acre Lot 21, Pacific Beach, within the limits and as particularly described in Resolution of Intention No. 100896; confirming and approving said Assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2030, made to cover the cost and expenses of the paving and otherwise improving the Alleys in Block L, Plumosa Park, within the limits and as particularly described in Resolution of Intention No. 100470, the Clerk reported that no appeals had been received.

Thereupon, the Mayor inquired if any interested persons and affected property owners were present who desired to be heard.

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

RESOLUTION NO. 103763, recorded on Microfilm Roll No. 43, confirming and approving the Street Superintendent's Assessment No. 2030, made to cover the cost and expenses of the paving and otherwise improving of the Alleys in Block L, Plumosa Park, within the limits and as particularly described in Resolution of Intention No. 100470; confirming and approving said Assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2031, made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 175, San Diego Land and Town Company's Addition, and Sampson Street, within the limits and as particularly described in Resolution of Intention No. 99505, the Clerk reported that no appeals had been received.

Thereupon, the Mayor inquired if any interested persons and affected property owners were present who desired to be heard.

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

RESOLUTION NO. 103764, recorded on Microfilm Roll No. 43, confirming and approving the Street Superintendent's Assessment No. 2031, made to cover the cost and expenses of the paving and otherwise improving the Alley in Block 175, San Diego Land and Town Company's Addition, and Sampson Street, within the limits and as particularly described in Resolution of Intention No. 99505; confirming and approving said Assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

At this time a majority of the members of the Council signed a contract with the San Diego Gas & Electric Company for Hermosa Lighting District No. 1

Application of the National Lumber Company for a decision by the City Council on ruling by the City Treasurer relative to payment of Sales and Use Tax was presented. On motion of Councilman Kerrigan, seconded by Councilman Dail, a hearing on this application was set for Tuesday, October 9th, 1951, at the hour of 10:00 o'clock A.M.

Petition of The San Diego Club for amendment to the Building Code to permit use of "Xtractaire" for removal of air and grease from kitchens was presented, and on motion of Councilman Schneider, seconded by Councilman Wincote, referred to the City Manager.

Claim of William L. Haag, 6615 Broadway, in the sum of \$91.50, resulting from damage sustained as a result of a broken water main, was presented.

RESOLUTION NO. 103765, recorded on Microfilm Roll No. 43, referring claim of William L. Haag to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Claim of Frances Annetta Rader, 534 Bon Air Street, La Jolla, in the sum of \$25,000.00, resulting from the death of Vann Arthur Rader, the six-year-old, minor son of the claimant, was presented.

RESOLUTION NO. 103766, recorded on Microfilm Roll No. 43, referring claim of Frances Annetta Rader to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Port Director submitting two Agreements for Amendments of Tideland Leases with George Zarkos and Dawson-Staite was presented.

RESOLUTION NO. 103767, recorded on Microfilm Roll No. 43, approving Agreement for Amendment to a Tideland Lease heretofore entered into between The City of San Diego and George Zarkos, which said Lease is on file under Document No. 398868; a copy of which Agreement for Amendment of Tideland Lease, Amendment No. 3, is contained in Document No. 438675; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

This change enlarges the leased premises occupied by Fisherman's Wharf Cafe at the foot of Garrison Street by approximately 1400 square feet; and increases the minimum rental to be paid from \$50.00 to \$65.00 per month.

RESOLUTION NO. 103768, recorded on Microfilm Roll No. 43, approving Agreement for Amendment to a Tideland Lease heretofore entered into between the City of San Diego and Dawson-Staite, which said Lease is on file under Document No. 399722; a copy of which Agreement for Amendment of Tideland Lease is contained in Document No. 438677; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

This change places as a matter of record two pipeline easements; increases the land area by approximately 600 square feet and reduces the water area by approximately 600 square feet; the basic rental to remain unchanged.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids received for furnishing the City 2000 Water bonds and 750 Sewer bonds authorized to be sold October 4, 1951, was presented.

RESOLUTION NO. 103769, recorded on Microfilm Roll No. 43, accepting the bid of Frye & Smith, San Diego, for the furnishing of 2000 Water Bonds and 750 Sewer Bonds; authorizing the purchase from Frye & Smith of 2750 bonds at a price of \$1072.00; plus \$35.00 extra for each additional interest rate; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, recommending bids for the furnishing of one motor propelled 75-foot aerial ladder fire truck was presented.

RESOLUTION NO. 103770, recorded on Microfilm Roll No. 43, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing one motor propelled 75-foot aerial ladder fire truck, in accordance with Notice to Bidders, Specifications, Bidding Instructions and requirements on file under Document No. 438817, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, recommending bids for the furnishing of 200 red wool sweaters for the Junior Traffic Patrol, was presented.

RESOLUTION NO. 103771, recorded on Microfilm Roll No. 43, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing two hundred red wool sweaters, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the office of the City Clerk under Document No. 438813, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103772, recorded on Microfilm Roll No. 43, approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for cleaning and cement mortar lining 30th Street 16" cast iron pipe line from Polk Avenue to Suncrest Drive, bearing Document No. 438810; ascertaining the current or prevailing rate of per diem wages paid by private employers for each craft or type of workman or mechanic needed to execute the contract, and declaring that the wage scale included in said specifications is the said current or prevailing rate for the various crafts therein mentioned; authorizing publishing of notice to contractors calling for bids for the work described; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager recommending installation of 600 c.p. overhead street lights at various locations was presented.

RESOLUTION NO. 103773, recorded on Microfilm Roll No. 43, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Everts Street at Hornblend Street, Grand Avenue, Thomas Street, Oliver Street, and Reed Avenue;

Dawes Street at Hornblend Street, Thomas Street, Reed Avenue and Oliver Street;

Bayard Street at Hornblend Street; Grand Avenue and Reed Avenue;

Jewell Street at Thomas Avenue; and at Pacific Beach Drive;

Haines Street at Fortuna Street, Roosevelt Street and at Pacific Beach Drive.

Communication from the City Manager recommending denying the petition of Anderson Realty Investment Company for permission to substitute non-metallic cable for the electrical wiring system in construction of an apartment building was presented.

RESOLUTION NO. 103774, recorded on Microfilm Roll No. 43, denying the petition of Anderson Realty Investment Company, 3656 Adams Avenue, for permission to substitute non-metallic cable for the electrical wiring system in the construction of apartment buildings, as recommended by the City Manager, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager reporting on communications expressing views relative to proposed control over the keeping of dogs, etc., was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, ordered filed; together with letters from Louise C. Bigelow, Mr. and Mrs. K. E. Dale, Anna Maloney, R. W. Forney, Donald H. Wright, Sr., Mrs. Dorothy C. Wright and Chas. H. Angeir.

Communication from the City Manager reporting on communications relative to the possible repeal of ordinance prohibiting smoking on buses was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, ordered filed; together with letters from Mrs. Callie Chester and Mrs. M. C. Read.

RESOLUTION NO. 103775, recorded on Microfilm Roll No. 43, adopting the recommendation of the City Engineer for paving the Alley in Block 13, Point Loma Heights, contained in Document No. 438737; authorizing the City Engineer to prepare and submit a plat of the district to be assessed for the proposed improvement; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103776, recorded on Microfilm Roll No. 43, granting the petition for the installation of sewers in Drucker's Subdivision and adjacent territory, contained in Document No. 438657; authorizing the City Engineer to prepare and submit a plat of the district to be assessed for the proposed improvement; was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103777, recorded on Microfilm Roll No. 43, granting the petition for the installation of an ornamental street lighting system in Collwood Park Unit No. 2, contained in Document No. 432225; authorizing the City Engineer to prepare and submit a plat of the district to be assessed for the proposed improvement; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Health and Welfare Committee, Lions Club of San Diego, relative to need for toilet facilities at the foot of Torrey Pines Grade and at Mission Bay areas was presented, and on motion of Councilman Schneider, seconded by Councilman Dail, referred to the City Manager.

Communication from the McKinley Civic Association thanking the City for removal of the "island" on Thorn Street; and for asphaltting part of the sidewalk on Redwood Street at 31st Street; was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed.

Communication from George A. Scott relative to the services of The Mission Bay Advisory Committee was presented and on motion of Councilman Kerrigan, seconded by Councilman Wincote, ordered filed.

Communications from Mrs. Josephine Fazio, Mrs. Estella R. Bourne, Geo. J. Haines, and Eugene D. Allen requesting the City Council to again decontrol rents, etc., were presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

On recommendation of the Pacific Indemnity Company, RESOLUTION NO. 103778, recorded on Microfilm Roll No. 43, denying the claim of Edward Rolecki, a minor, filed in the office of the City Clerk of The City of San Diego, California, under Document No. 434000, by Ray Miller, Attorney, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

On recommendation of the Pacific Indemnity Company, RESOLUTION NO. 103779, recorded on Microfilm Roll No. 43, denying the claim of Ruth B. Erickson, 2932 Juniper Street, filed in the office of the City Clerk of the City of San Diego, California, under Document No. 435095, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Pacific Indemnity Company announcing the settlement of the claim of Chas. A. Dunn in the amount of \$89.09 was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed.

RESOLUTION NO. 103780, recorded on Microfilm Roll No. 43, directing notice of filing of the Street Superintendent's Assessment No. 2034, made to cover the costs and expenses of the work of paving and otherwise improving the Alley in Block 187, City Heights, within the limits and as particularly described in Resolution of Intention No. 98623, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 103781, recorded on Microfilm Roll No. 43, accepting bid of Daley Corporation and awarding contract for the paving and otherwise improving of 60th Street, between El Cajon Boulevard and the southerly line of Gilcher Tract, as described in Resolution of Intention No. 103048, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 103782, recorded on Microfilm Roll No. 43, accepting bid of San Diego Gas & Electric Company, and awarding contract, for the furnishing of electric current for the lighting of the ornamental street lights located in Mission Beach Lighting District No. 1, for a period of one year from May 15, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103783, recorded on Microfilm Roll No. 43, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 20, City Heights; approving Plat No. 2284 showing the exterior boundaries of the district to be included in the assessment for said work and improvement, directing the City Clerk to file said plat in the office of the City Engineer upon the passage of the Resolution of Intention, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103784, recorded on Microfilm Roll No. 43, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 41, Ocean Beach; and Ebers Street; approving Plat No. 2279 showing the exterior boundaries of the district to be included in the assessment for said work and improvement, directing the City Clerk to file said plat in the office of the City Engineer upon the passage of the Resolution of Intention, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103785, recorded on Microfilm Roll No. 43, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Palermo Drive, between a line parallel to and distant 10.00 feet southwest-erly from the southeasterly prolongation of the northeasterly line of Zola Street and the southwesterly line of Alcott Street; and ALCOTT STREET, between the southeasterly line of Western Addition and a point on the southerly line of Lot 2, Bridges Estates; approving Plat No. 2275 showing the exterior boundaries of the district to be included in the assess-ment for said work and improvement, directing the City Clerk to file said plat in the of- fice of the City Engineer upon the passage of the Resolution of Intention, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 103786, recorded on Microfilm Roll No. 43, for the paving and otherwise improving of Jewell Street, between Pacific Beach Drive and Fortuna Avenue, as described in Resolution of Intention No. 103361, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103787, recorded on Microfilm Roll No. 43, directing notice inviting sealed proposals for furnishing of electric current for the lighting of College Park Lighting District No. 1, for a period of one year from June 1, 1951, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 103788, recorded on Microfilm Roll No. 43, for the paving and otherwise improving of the Alley in Block 20, City Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 103789, recorded on Microfilm Roll No. 43, for the paving and otherwise improving of the Alley in Block 41, Ocean Beach, and Ebers Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 103790, recorded on Microfilm Roll No. 43, for the paving and otherwise improving of Palermo Drive, between a line parallel to and distant 10.00 feet southwesterly from the southeasterly prolongation of the northeasterly line of Zola Street and the southwesterly line of Alcott Street; and a por- tion of Alcott Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103791, recorded on Microfilm Roll No. 43, ascertaining and declaring the prevailing rate of per diem wages paid by private employers in The City of San Diego, to be paid in connection with the work of paving and otherwise improving of the Alley in Block 5, Chester Park Addition, between the north line of Orange Avenue and the southerly line of El Cajon Boulevard, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103792, recorded on Microfilm Roll No. 43, ascertaining and declaring the prevailing rate of per diem wages paid by private employers in the City of San Diego, to be paid in connection with the work of installing sewers and appurtenances in Brodiaea Way, Carrizo Drive, Country Club Drive, Encelia Drive, Remley Place, Romero Court, Romero Drive and Public Rights of Way, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103793, recorded on Microfilm Roll No. 43, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work of paving and otherwise improving the Alley in Block 245, Mission Beach, and Mission Boulevard, as particularly described in Resolution of Intention No. 101110, and to be assessed to pay the expenses thereof, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103794, recorded on Microfilm Roll No. 43, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work of paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, Mandalay Road, and Alleys in La Mesa Colony, et al., as particularly described in Resolution of Intention No. 102375, and to be assessed to pay the expenses thereof, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103795, recorded on Microfilm Roll No. 43, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work of paving and otherwise improving of Wightman Street, 38th Street and 41st Street, as particularly described in Resolution of Intention No. 102547, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103796, recorded on Microfilm Roll No. 43, adopting the recommendation of the City Engineer filed under Document No. 438581; and said City Engineer is hereby authorized to amend the proceedings for the improvement of Playa Del Norte, between La Jolla Boulevard and its westerly termination, in accordance with said recommendation; to include a portion of Neptune Place between the westerly prolongation of the northerly line of the Alley in Block 1, La Jolla Strand and a line parallel to and distant 120 feet southerly therefrom; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103797, recorded on Microfilm Roll No. 43, authorizing and empowering the City Manager to do all the work in connection with the replacement of the curb returns at 70th and Mohawk Streets, 70th and Saranac Streets, 70th Street and El Cajon Boulevard, 69th Street and El Cajon Boulevard and 68th Street and El Cajon Boulevard; the paving of a portion of the streets adjacent to said curbs, and the reconstruction of an inlet at the northeasterly corner of 69th Street and El Cajon Boulevard, by appropriate city forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103798, recorded on Microfilm Roll No. 43, authorizing and empowering the City Manager to do all the work in connection with the replacement of the curbs on Wightman Street, between 36th Street and Marlborough Avenue, by appropriate city forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103799, recorded on Microfilm Roll No. 43, authorizing and directing the Purchasing Agent to purchase in the open market, without advertising for bids, when available, approximately 8,000 cubic yards of dirt, to be placed as a six-inch topping on sandy areas of the Mission Bay Project, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103800, recorded on Microfilm Roll No. 43, authorizing the City Manager to make application to the County Board of Supervisors for an option to purchase tax-deded lands described as: Bird Rock Addition, 1/2 alley closing adjacent and adjoining, westerly and westerly 5.0 feet of Lot 18, Block 16, according to the Map thereof No. 1083 filed in the office of the County Recorder, said San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103801, recorded on Microfilm Roll No. 43, authorizing the City Manager to make application to the County Board of Supervisors for an option to purchase tax-deded lands described as: City Heights, Lots 12 to 15, inclusive, Block 186, according to the Map thereof No. 1007, filed in the office of the County Recorder, said San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103802, recorded on Microfilm Roll No. 43, authorizing the City Manager to execute for and on behalf of The City of San Diego a lease with the Secretary of the Army, for a term of five years, beginning August 1, 1951, at a rental of \$2100.00 payable to the United States \$105.00 quarterly in advance, covering Unit "G" containing 0.12 acre, more or less, located in the San Diego River Dyke Lands, San Diego County; together with Government-owned improvements thereon, to be used for office space and storage yard purposes, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103803, recorded on Microfilm Roll No. 43, authorizing the City Manager to enter into a contract on behalf of The City of San Diego with Stafford-Gardner, Inc., subdividers of Sunset Ridge Subdivision, providing for the installation of water mains and appurtenances in said subdivision and for the reimbursement by the City to

the subdividers of the sum of \$7277.06 for the difference in cost of 16" C.I. water mains and 8" A.C. water mains in lieu of 8" A.C. mains and 6" A.C. mains respectively; upon the execution and delivery to said City of a quitclaim deed conveying to said City all of the right, title and interest of the subdividers in and to the Water Distribution system in said Sunset Ridge Subdivision; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103804, recorded on Microfilm Roll No. 43, authorizing the City Manager to enter into a contract with Martin Torgerson, Mary Torgerson, Theo. G. Schaffer, Mary E. Schaffer, West Coast Investment Co., a Partnership, and Harry Redfield, Roy Greenwood and Ronald Greenwood, a partnership, providing the terms and conditions which the above-named property owners are to carry out and perform for the annexation of that certain tract commonly known as "Torgerson-Platner Tract", a copy of which agreement is on file under Document No. 438881, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103805, recorded on Microfilm Roll No. 43, granting the request of Charles J. Dorfman, (Change Order No. 4), for an extension of time of 24 days to and including September 23, 1951, in which to complete his contract for the construction of the Ocean Beach Storm Drain; which contract is contained in Document No. 429250; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103806, recorded on Microfilm Roll No. 43, authorizing and directing the Property Supervisor to advertise for a period of five days in the official newspaper of the City the sale at public auction of the following described property: Those portions of Lots 6, 7 and 8, Block 2, of Broderick and West Addition, according to Map thereof No. 1117, as particularly described in said Resolution; stating that the minimum amount which the Council will consider for the sale of said property is \$250.00; and reserving the right to reject any and all bids at the said public auction; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103807, recorded on Microfilm Roll No. 43, accepting the offer of the Liberty Mutual Insurance Company to pay to the City the sum of \$150.00 as full satisfaction in settlement of a claim for \$174.66 by the said City against John Douglas Ashman and Al Martin, said claim arising out of damage to an ornamental street lamp situated on 16th Street between Market and Island Avenues, on September 14th, 1950; authorizing the City Attorney to execute a release to the insurance carrier upon payment to the City of the said sum of \$150.00; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103808, recorded on Microfilm Roll No. 43, granting permission to the Salvation Army, 830 Eighth Avenue, to place Christmas Kettles on street corners from Saturday, November 24, 1951, to and including Monday, December 24, 1951, for the purpose of soliciting funds for food and clothing for underprivileged families, children, pensioners and service groups, and to bring Christmas cheer to these groups during the holiday season, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

A list of locations where these Christmas Kettles will be placed is contained in Document No. 438375 on file in the office of the City Clerk.

RESOLUTION NO. 103809, recorded on Microfilm Roll No. 43, granting permission to Mrs. H. W. Brightwell permission to install a 4-inch castvitrified clay sewer line between the property line and the sidewalk; to serve property at 4328 Goldfinch Street, under conditions specified in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103810, recorded on Microfilm Roll No. 43, granting permission to Harvey H. Jackson to remove 40 feet of full height curb on the north side of F Street, approximately between points 306 and 346 feet west of the west line of 32nd Street, for the construction of a driveway adjacent to Lots 37 and 38, Block 115, E. W. Morse's Subdivision; to provide access to a new 4-plex apartment; under conditions specified in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103811, recorded on Microfilm Roll No. 43, authorizing the Mayor to attend the conference of Pacific Coast Mayors, to be held in Tokyo, Japan, from October 30th to November 10th, 1951; authorizing the necessary expenses in connection with said trip; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103812, recorded on Microfilm Roll No. 43, accepting an easement for street purposes executed by West Coast Investment Co., a partnership, and Union Title Insurance and Trust Company, a corporation, deeding to The City of San Diego an easement for a right of way for a public street and incidents thereto, being six parcels of land through, over, under, along and across portions of Lots 72 and 78 of Rancho Mission of San Diego, (being known as Torgerson-Platner Tract), was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103813, recorded on Microfilm Roll No. 43, authorizing the City Manager to enter into a contract for and on behalf of The City of San Diego with Chris A. Cosgrove and Celia Cosgrove, subdividers of Collwood Gardens, providing for the

installation of water mains and appurtenances in said subdivision and for reimbursement by the City to the subdividers of the sum of \$2467.14 for the difference in cost between 12" asbestos cement pipe and 8" asbestos cement pipe in Montezuma Road, upon the execution and delivery to said City of a quitclaim deed conveying all right, title and interest of the subdividers in and to the water distribution system in said Collwood Gardens subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103814, recorded on Microfilm Roll No. 43, accepting the Quitclaim Deed executed by Chris Cosgrove and Celia Cosgrove, quitclaiming to the City of San Diego all water mains and appurtenant structures located on public streets, rights of way, highways and public places either within or without the subdivision named "Collwood Gardens" and filed as Map No. 2620, being a portion of Lots 5 and 12 of Marcellena Tract, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103815, recorded on Microfilm Roll No. 43, authorizing the City Manager to enter into a contract for and on behalf of The City of San Diego with Hubner Building Company, a partnership, subdividers, providing for the installation of water mains and appurtenances commencing approximately 90 feet east of 60th Street and proceeding easterly along University Avenue to its intersection with College Avenue, thence southerly along College Avenue to its intersection with the westerly boundary of Parcel "O", Lot 19, Rancho Mission, San Diego; and for the reimbursement by the City to the subdividers of the sum of \$788.70 (being in addition to the value of materials amounting to \$26,703.55 already furnished) for the difference in cost of 16" and 12" water mains over 8" water mains; upon the execution and delivery to said City of a quitclaim deed conveying to the City of a quitclaim deed conveying all right title and interest of the subdividers in and to the water distribution system installed along University Avenue and College Avenue as above described; said installation being supply lines for various Hubner-developed subdivisions; authorizing the City Auditor to issue a warrant in the amount of \$788.70; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103816, recorded on Microfilm Roll No. 43, accepting the Quitclaim Deed executed by Hubner Building Company, a partnership, quitclaiming to the City of San Diego that certain 12-inch and 16-inch water main and appurtenant structures lying in, under and upon University Avenue and College Avenue, commencing at a point on University Avenue approximately 90 feet easterly of the center line of 60th Street, thence proceeding easterly along University Avenue to the intersection of College Avenue, thence proceeding in a southerly direction on College Avenue to its intersection with the westerly boundary of Parcel "O", Lot 19, Rancho Mission, constructed for the City's use, located on above described public streets; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103817, recorded on Microfilm Roll No. 43, authorizing the City Manager to enter into a contract with Hubner Building Company, a partnership, subdividers of Hubner Knolls Annex, providing for the installation of water mains and appurtenances in said subdivision; and for the reimbursement by the City to the subdividers of the sum of \$2847.44 for the difference in cost of 12" water main over 8" water main, upon the execution and delivery to said City of a quitclaim deed conveying to said City all of the right, title and interest of the subdividers in and to the water distribution system in said Hubner Knolls Annex Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103818, recorded on Microfilm Roll No. 43, accepting the Quitclaim Deed executed by Hubner Building Company, a partnership, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for the City's use, located on public streets, rights of way, highways and public places, either within or without the subdivision named Hubner Knolls Annex, according to map thereof No. 2668, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103819, recorded on Microfilm Roll No. 43, authorizing the City Manager to enter into a contract for and on behalf of The City of San Diego, with Hubner Building Company, a partnership, subdividers of that certain subdivision known as Redwood Village Unit No. 2, providing for the installation of water mains and appurtenances in said subdivision and for the reimbursement by the City of the sum of \$2648.00 for the difference in cost of 662 feet of 12" water main in lieu of 8" water main, upon the execution and delivery to said City of a quitclaim deed conveying to said City all of the right, title and interest of the subdividers in and to the water distribution system in said Redwood Village Unit No. 2 Subdivision; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103820, recorded on Microfilm Roll No. 43, accepting the quitclaim deed executed on the 4th day of June, 1951, by Hubner Building Company, a partnership, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for the City's use, located on public streets, rights of way, highways and public places, either within or without the subdivision named Redwood Village Unit No. 2, according to map thereof No. 2722; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103821, recorded on Microfilm Roll No. 43, authorizing the City Manager to enter into a contract for and on behalf of The City of San Diego with Mid-City Heights, Inc., subdividers of that certain subdivision known as Clairemont Heights, Unit No. 1, providing for the installation of water mains and appurtenances in said subdivision and for the reimbursement by the City to the subdividers of the sum of \$5262.75 for the difference in cost of 12" water main lines in lieu of 8" water mains; upon the

execution and delivery to said City of a quitclaim deed, conveying to said City all of the right, title and interest of the subdividers in and to the water distribution system in said Clairemont Heights, Unit No. 1 Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103822, recorded on Microfilm Roll No. 43, accepting the quitclaim deed executed by Mid-City Heights, Inc., quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for the City's use, located on public streets, rights of way, highways and public places, either within or without the subdivision named "Clairemont Heights, Unit No. 1, according to Map thereof No. 2712; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103823, recorded on Microfilm Roll No. 43, authorizing the City Manager to enter into a contract for and on behalf of The City of San Diego with Steelcrete Industrial Buildings, Inc., subdividers of that certain subdivision known as Bay Park Vista Unit No.1, providing for the installation of water mains and appurtenances in said subdivision and for the reimbursement by the City of the subdividers of the sum of \$453.30 for 302.2 linear feet of "border main"; upon the execution and delivery to said City of a quitclaim deed, conveying to said City all of the right, title and interest of the subdividers in and to the water distribution system in said Bay Park Vista Unit No. 1, Subdivision; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103824, recorded on Microfilm Roll No. 43, accepting the Quitclaim Deed executed by Steelcrete Industrial Buildings, Inc., quitclaiming to the City of San Diego all water mains and appurtenant structures constructed for the City's use, located on public streets, rights of way, highways and public places, either within or without the subdivision named "Bay Park Vista Unit No. 1", according to map thereof No. 2709; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

ORDINANCE NO. 4932 (New Series) recorded on Microfilm Roll No. 43, approving rules and regulations adopted by the Harbor Commission governing the mooring of small craft, commercial and pleasure, in the Harbor of San Diego; and prescribing penalties for the violation thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4933 (New Series) recorded on Microfilm Roll No. 43, approving rules and regulations adopted by the Harbor Commission governing Lindbergh Field Municipal Airport, prescribing penalties for the violation thereof and repealing Ordinance No. 3107, New Series, was on motion of Councilman Dail, seconded by Councilman Swan, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4934 (New Series) recorded on Microfilm Roll No. 43, amending Section 55 of Ordinance No. 3179 (New Series), adopted May 14, 1946, relative to "closing out sales", "going out of business sales", etc., was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--Councilmen None.

ORDINANCE NO. 4935 (New Series) recorded on Microfilm Roll No. 43, dedicating certain public lands of The City of San Diego as and for portions of a certain public street and/or highway and naming the same WABASH BOULEVARD, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Dail, seconded by Councilman Schneider, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Swan, seconded by Councilman Godfrey, the following items were brought up by unanimous consent:

RESOLUTION NO. 103825, recorded on Microfilm Roll No. 43, authorizing and directing the City Manager to enter into negotiations with the United States Bureau of Census to determine the cost of the taking of a special census by the United States Bureau

of Census to determine the increase of population of The City of San Diego, and thereafter, if such costs are reasonable, to enter into an agreement with said United States Bureau of Census providing for the necessary action on the part of said bureau to determine the increase in population of The City of San Diego since the last Federal census, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103826, recorded on Microfilm Roll No. 43, authorizing and empowering the City Manager to enter into a contract for and on behalf of The City of San Diego with Alvarado Community Association, subdividers of that certain subdivision known as "Alvarado", providing for the installation of water mains and appurtenances in said subdivision and for the reimbursement by the City to the subdividers of the sum of \$18,795.15 for the difference in cost of 4123 feet of 12" water main in lieu of 8" water main, upon the execution and delivery to said City of a quitclaim deed conveying to said City all of the right, title and interest of the subdividers in and to the water distribution system in said Alvarado Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103827, recorded on Microfilm Roll No. 43, accepting the Quitclaim Deed executed by Alvarado Community Association, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for the City's use, located on public streets, rights of way, highways and public places, either within or without the subdivision named "Alvarado", according to map thereof No. 2789, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Mr. Charles A. Clark offered to present the Council with a replica of the Declaration of Independence for use in the Council Chamber. He cited the value of freedom, and the need for keeping the principals embodied in this Declaration of Independence before the American People at all times. He answered several questions as to just where he thought this framed replica should be hung.

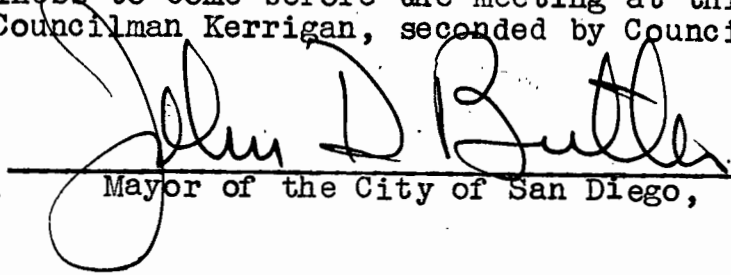
Mr. Clark turned in a written offer in this connection; which was given Document No. 438887.

Thereupon, RESOLUTION NO. 103828, recorded on Microfilm Roll No. 43, referring to Council Conference the communication from Charles A. Clark, U. S. National Bank Building, San Diego, offering a replica of the Declaration of Independence for use in the Council Chamber, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Mrs. John Conner Lehner, 3681 Wightman Street, addressed the Council on the matter of rent decontrol. She stated that persons with small rentals are not making expenses; and objected to the re-control of rents as an infringement of the rights of one class of American Citizens.

No action was taken on the matter.

There being no further business to come before the meeting at this time, said meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Swan, at the hour of 11:05 o'clock A.M.


Mayor of the City of San Diego, California.

ATTEST: FRED W. SICK, City Clerk,

By Clark M. Fote Jr Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, September 27, 1951.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:00 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler.

Absent----Councilmen None.

Clerk-----Fred W. Sick

Applications of John and Essie Mae Mielewski for Cabaret and Class A Dine and Dance Licenses for the Club Boomerang, 630 Market Street were presented; together with recommendations for approval from the interested City Departments.

RESOLUTION NO. 103829, recorded on Microfilm Roll No. 43, granting permission to John Mielewski and Essie Mae Mielewski to conduct a cabaret with paid entertainment at the Club Boomerang, 630 Market Street, San Diego, California, where liquor is sold; subject to the regular license fee, and to compliance with existing regulations; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103830, recorded on Microfilm Roll No. 43, granting the application of John Mielewski and Essie Mae Mielewski for a Class A license to conduct public dance at the Club Boomerang, 630 Market Street, San Diego, California, on premises where intoxicating liquor is sold; subject to compliance with existing ordinances and regulations; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Claim of Keith G. Collins, based on an accident on Kendall Street, Pacific Beach, involving a City garbage truck, was presented.

RESOLUTION NO. 103831, recorded on Microfilm Roll No. 43, referring the claim of Keith G. Collins to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Claim of John H. Good, based on damage caused by broken water pipes at 1411 Torrey Pines Road, La Jolla, was presented.

RESOLUTION NO. 103832, recorded on Microfilm Roll No. 43, referring the claim of John H. Good to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Claim of Mrs. A. C Schwab, based on damage by a City rubbish truck, was presented.

RESOLUTION NO. 103833, recorded on Microfilm Roll No. 43, referring the claim of Mrs. A. C. Schwab to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Claim of T. B. Shows, based on damage by a City truck backing into a parked car, was presented.

RESOLUTION NO. 103834, recorded on Microfilm Roll No. 43, referring the claim of T. B. Shows to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent reporting on bids received for furnishing of one hydraulic cylinder for operation of hydraulic gate was presented.

RESOLUTION NO. 103835, recorded on Microfilm Roll No. 43, accepting the bid of E. R. Parkhurst Company to furnish one hydraulic cylinder for operation of hydraulic gate, for the sum of \$1992.00, plus sales tax; awarding the contract; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, approved by the City Manager, recommending bids for furnishing two Varidrive Synchro gear motors be dispensed with, as quotations secured showed that the California Electric Works had the lowest priced motors, and could make the earliest delivery of any firm contacted.

RESOLUTION NO. 103836, recorded on Microfilm Roll No. 43, authorizing and directing the Purchasing Agent to purchase two 1-H. P. Type VEV-GM U.S. Varidrive Synchro gear motors, with remote speed indicators, electric remote controls and rails, in the open market, without advertising for bids, at a price of \$1,846.00, plus state sales tax, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103837, recorded on Microfilm Roll No. 43, approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the installation of College Avenue 16" cast iron pipe line from Estelle Street to University Avenue, filed under Document No. 438944; ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the work; authorizing the Purchasing Agent to publish a notice to contractors calling for bids for said work; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

Communication from the Senior Planning Technician reporting that the Zoning Committee recommend granting the request of Mrs. Clara Louise Merrick for six months' extension of time on a building in Mission Beach was presented.

RESOLUTION NO. 103838, recorded on Microfilm Roll No. 43, granting a six-months' extension of time to Clara Louise Merrick, to construct three living units and a minimum of five garages and a maximum of six garages on Lot Q, Block 15, Mission Beach, at the northeast corner of Strandway and San Luis Rey Place, as granted by Resolution No. 101911, adopted April 17, 1951, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Mission Beach Coaster Company relative to lease on the property known as the Roller Coaster Site in the Amusement Center of Mission Beach was presented.

Mr. L. W. Barney, President of the Mission Beach Coaster Company, stated the Company would like a new lease with option for renewal; but had applied for option to renew the present lease for a period of five years, as a ninety day written notice is required.

RESOLUTION NO. 103839, recorded on Microfilm Roll No. 43, referring to Council Conference the communication from the Mission Beach Coaster Company notifying the City of San Diego of intention to exercise option to renew lease for a period of five years for the property known as the Roller Coaster Site in the Amusement Center of Mission Beach, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Mrs. G. E. Morrow suggesting use of covered garbage trucks; claiming the present trucks are unsightly and unsanitary, was presented and on motion of Councilman Wincote, seconded by Councilman Dail, referred to the City Manager.

RESOLUTION NO. 103840, recorded on Microfilm Roll No. 43, authorizing the City Attorney to file a petition with the County Board of Supervisors for the cancellation of taxes and penalties on a portion of Lot 8 in Pueblo Lot 1113, according to Map thereof No. 875, as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103841, recorded on Microfilm Roll No. 43, accepting the Relinquishment of Vehicular Access Rights, executed by Everett S. Bird, releasing and relinquishing to The City of San Diego any and all abutter's rights of vehicular access from Washington Street, to that portion of Lot 64, D. B. Williams Subdivision, according to Map thereof No. 855, lying northerly of the northerly line of said Washington Street; authorizing the City Clerk to file the said Relinquishment of Vehicular Access Rights of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103842, recorded on Microfilm Roll No. 43, accepting the Relinquishment of Vehicular Access Rights, executed by Dennstedt and Landt Building Company, releasing and relinquishing to The City of San Diego any and all abutter's rights of vehicular access from Washington Street, to those portions of Lots 16 and 17, Block 9, Estudillo and Capron's Addition, according to Map thereof No. 650; authorizing the City Clerk to file the said Relinquishment of Vehicular Access Rights of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103843, recorded on Microfilm Roll No. 43, accepting the Relinquishment of Vehicular Access Rights, executed by Ina E. Shafer Harris and Ray E. Harris, releasing and relinquishing to The City of San Diego any and all abutter's rights of vehicular access from Washington Street, to those portions of Lots 74 and 75, G. A. Bush Addition, according to Map thereof No. 1915, lying southerly of the southerly line of said Washington Street; authorizing the City Clerk to file the said Relinquishment of Vehicular Access Rights of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103844, recorded on Microfilm Roll No. 43, accepting the Partial Release of Mortgage, executed by Federal Engineering Corporation, wherein said corporation certifies that a certain mortgage, recorded in Book 2346, Page 176 of official records of San Diego County, has been released as to certain portions of Lots 4, 5, 6, 10, 11, 15, 16 and of Lot 3, if any, of Pueblo Lot 1207 of the Pueblo Lands of The City of San Diego, according to Subdivision Map thereof No. 842; and portions of streets closed by Resolution No. 85183 of the Council of The City of San Diego; authorizing the City Clerk to file the said Partial Release of Mortgage of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103845, recorded on Microfilm Roll No. 43, accepting the Partial Reconveyance, executed by The Hollingsworth Corporation, quitclaiming and reconveying to the person or persons legally entitled thereto portions of Pueblo Lots 1191 and 1195 of the Pueblo Lands of the City of San Diego, according to Map thereof by James Pascoe in 1870; and a portion of Lots 145 and 146, and of Lot 144, if any, Morena, according to Map thereof No. 809; and a portion of Stough Avenue and Colonial Street as closed by Resolution No. 85183 of the Council of The City of San Diego; directing the City Clerk to file the said Partial Reconveyance of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103846, recorded on Microfilm Roll No. 43, accepting the subordination agreement, executed by Elliott B. Vickery, beneficiary and Southern Title and Trust Company, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 4 in the Subdivision of the East Half of Pueblo Lot 1215, according to Map thereof No. 690, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego, through, along and across a portion of the said property above described; directing the City Clerk of said City to file the said subordination agreement of record in the Office of the Recorder of San Diego County; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103847, recorded on Microfilm Roll No. 43, accepting the deed of Arbron R. Heap and Donna M. Heap, executed in favor of The City of San Diego, conveying to said City a portion of Lot Forty-four of The Highlands, according to Map thereof No. 284; directing the City Clerk to transmit the said deed to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103848, recorded on Microfilm Roll No. 43, accepting the deed of San Diego Associates, Incorporated, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lots 9, 13 and 14, Waterville Heights, according to Map thereof No. 748; and portions of Lots 42 and 43, Seaman's Subdivision, according to Map thereof No. 71; and portions of Orange Avenue, closed by Resolution No. 41747 of the Common Council of the City of San Diego; setting aside and dedicating to the public use the lands therein conveyed to the public use as and for a public street; and naming the same 58th Street; directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103849, recorded on Microfilm Roll No. 43, accepting the deed of Jack L. Schock and Jacqueline Schock, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 4 in the Subdivision of the East Half of Pueblo Lot 1215, according to Map thereof No. 690; setting aside and dedicating the land therein conveyed to the public use as and for a public street; and naming the same Linda Vista Road; directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103850, recorded on Microfilm Roll No. 43, accepting the deed of E. A. Strout and Mabel Tracy Strout, executed in favor of The City of San Diego, conveying to said City portions of Block 2, Amalfi and a portion of Lot 1, Block 3, Amalfi, according to Map thereof No. 959; setting aside and dedicating to the public use the land therein conveyed as and for a public street; naming the same Torrey Pines Road; directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103851, recorded on Microfilm Roll No. 43, accepting the deed of E. B. Kuhlman, also known as Estella B. Kuhlmann, executed in favor of The City of San Diego, conveying to said City portions of Lots 1, 2, 3 and 5, Block Four, J. M. DePuy's Subdivision, according to Map thereof No. 30; and a portion of Valeta Street, as closed by Resolution No. 20232 of the Common Council of The City of San Diego; setting aside and dedicating the land therein conveyed to the public use as and for a public street; naming the same Wabaska Drive; directing the City Clerk to transmit the said deed to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103852, recorded on Microfilm Roll No. 43, accepting the deed of Astor Basmajian and Esther Basmajian, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lots 16 and 13, Cave and McHatton's Subdivision, according to Map thereof No. 159; authorizing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103853, recorded on Microfilm Roll No. 43, accepting the deed of D. E. Cooksey and Joyce Cooksey, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 2, Block "C", Starkey's Prospect Park Addition, according to Map thereof No. 1729; directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103854, recorded on Microfilm Roll No. 43, accepting the deed of Elbert, Ltd., executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 19, Block 208, Pacific Beach, according to Map thereof No. 854; directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103855, recorded on Microfilm Roll No. 43, accepting the deed of Howard R. McQueen and Nelle P. McQueen, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lots 16 and 14, Rancho Mission, according to Map thereof No. 330; directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103856, recorded on Microfilm Roll No. 43, accepting the deed of Rosario F. Migliore, and Josephine Migliore, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 22, Block 286, Pacific Beach, according to Map thereof No. 864; directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION No. 103857, recorded on Microfilm Roll No. 43, accepting the deed of Marie B. Murphy, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 16, Rancho Mission, according to Map thereof No. 330; directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103858, recorded on Microfilm Roll No. 43, accepting the deed of Frank E. Naso, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 20, Block 258, Pacific Beach, according to Map thereof No. 854; authorizing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103859, recorded on Microfilm Roll No. 43, accepting the deed of Joe S. Soares and Clotilde C. Soares, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes, through, along and across a portion of Lots 19 and 20, Block 6, New Roseville, according to Map thereof No. 476; directing the City Clerk to file the said deed of record in the Office of the County Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103860, recorded on Microfilm Roll No. 43, accepting the deed of Shirley L. Thomas, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lots 18 and 19, Block 3, Valencia Park Unit No. 1, according to Map thereof No. 1985; directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103861, recorded on Microfilm Roll No. 43, accepting the deed of Air Parks, Inc. a California Corporation, executed in favor of The City of San Diego, conveying to said City an easement and right of way for water main purposes through, along and across a portion of Lots 4, 5, 6, 10, 11, 15 and 16, and of Lot 3, if any of Pueblo Lot 1207 of the Pueblo Lands of The City of San Diego, according to Subdivision Map thereof No. 842; and a portion of streets as closed by Resolution No. 85183 of the Council of The City of San Diego; directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103862, recorded on Microfilm Roll No. 43, accepting the deed of O. D. Arnold and Ethel Arnold, executed in favor of The City of San Diego, conveying to said City an easement and right of way for water main, sewer and public utility purposes through, along and across a portion of Lots 327 to 332, inclusive, O. D. Arnold's Westwood Hills Unit No. 5, according to Map thereof No. 2786; directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103863, recorded on Microfilm Roll No. 43, accepting the deed of the San Diego Urban Company, a California corporation, accepting the deed of the San Diego Urban Company, a California Corporation, executed in favor of The City of San Diego, conveying to said City an easement and right of way for water main purposes through, along and across a portion of Pueblo Lots 1191 and 1195 of the Pueblo Lands of the City of San Diego, according to Map thereof by James Pascoe in 1870; and a portion of Lots 145 and 146, and of Lot 144, if any, Morena, according to Map thereof No. 809; and a portion of Stough Avenue and Colonial Street, as closed by Resolution No. 85183 of the Council of The City of San Diego; directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Godfrey, seconded by Councilman Dail, the following matters were brought up by unanimous consent.

RESOLUTION NO. 103864, recorded on Microfilm Roll No. 43, accepting the bid of Thomas N. Baker for the purchase of a portion of Pueblo Lot 1288, 100 by 150 feet in area, improved with a dwelling known as 2509 Ardath Road, La Jolla, in the amount of \$18,600.00; authorizing the Mayor and City Clerk to execute a quitclaim deed, quitclaiming to Thomas B. Baker and Mae Louise Baker, husband and wife, as joint tenants the above property, as fully described in said Resolution; authorizing the Property Supervisor to place said deed in escrow, with instructions that the same be delivered to the successful bidder when all escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103866, recorded on Microfilm Roll No. 43, authorizing and directing the City Clerk to return to John D. Lyerly, 1026 Prospect Street, bidding for H. Lincoln Chadbourne, the \$60.00 deposited with his petition for the placing of a portion of Pueblo Lot 1288, for sale at auction, and the \$875.00 deposited as a Brokers fee; as Mr. Chadbourne was not the successful bidder for said property; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

At this time, on motion of Councilman Godfrey, seconded by Councilman Dail, the Council took a recess until the hour of 10:30 o'clock A.M.

Upon reassembling, at the hour of 11:50 A.M., the roll call showed as follows:

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

RESOLUTION NO. 103865, recorded in Microfilm Roll No. 43, authorizing and empowering the City Manager, for and on behalf of the City, to execute an agreement for the employment of the services of T. B. Cosgrove, Attorney at Law, during the period of twelve months commencing July 1, 1951, at and for the sum of \$10,000.00 payable in installments of \$2,500.00 each; under conditions contained in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Wincote, at the hour of 11:52 A.M.


Mayor of The City of San Diego, California

ATTEST:

FRED W. SICK, City Clerk.

By Clark M. Foster Jr
Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, October 2nd, 1951.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

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

The Minutes of the Regular Meetings of Tuesday, September 25, 1951, and of Thursday, September 27, 1951, were presented to the Council by the Clerk. On motion of Councilman Dail, seconded by Councilman Kerrigan, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Beardsley Street, between the northeaster line of Kearny Avenue and the north line of Pueblo Lot 1157; and 22nd Street, between the south line of Commercial Street and the north line of Pueblo Lot 1157, within the limits and as particularly described in Resolution of Intention No. 103209, the Clerk reported that five bids had been received, which bids were presented to the Council and on motion duly made and seconded were opened and publicly declared.

Said bids were as follows:

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$900.00, which bid was given Document No. 439120;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1000.00, which bid was given Document No. 439121;

The bid of V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$1100.00, which bid was given Document No. 439122;

The bid of Daley Corporation, accompanied by bond written Glens Fall Indemnity Company in the sum of \$1000.00, which bid was given Document No. 439123;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$1000.00, which bid was given Document No. 439124.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation. Councilman Godfrey entered after the first bid was opened, and was excused from the meeting after the last bid on this proceeding was read.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Coronado Avenue, Del Mar Avenue and Orchard Avenue, within the limits and as particularly described in Resolution of Intention No. 103210, the Clerk reported that five bids had been received, which bids were presented to the Council and on motion duly made and seconded were opened and publicly declared.

Said bids were as follows:

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1000.00, which bid was given Document No. 439125;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1000.00, which bid was given Document No. 439126;

The bid of V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$1200.00, which bid was given Document No. 439127;

The bid of Daley Corporation, accompanied by bond written by Glens Fall Indemnity Company in the sum of \$1000.00, which bid was given Document No. 439128;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$1200.00, which bid was given Document No. 439129.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Dail, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving of bids for the paving and otherwise improving of La Jolla Hermosa Avenue, between the northerly line of Camino de la Costa and the southerly line of La Canada, within the limits and as particularly described in Resolution of Intention No. 103208, the Clerk reported that five bids had been received, which bids were presented to the Council and on motion duly made and seconded were opened and publicly declared.

Said bids were as follows:

The bid of Al E. Riley, Inc., accompanied by a bond written by the Fidelity and Casualty Company of New York in the sum of \$1600.00, which bid was given Document No. 439130;

The bid of Griffith Company, accompanied by a bond written by the National Surety Corporation in the sum of \$1500.00, which bid was given Document No. 439131;

The bid of V. R. Dennis Construction Co., accompanied by a bond written by American Surety Company of New York in the sum of \$1500.00, which bid was given Document No. 439132;

The bid of John B. Henry, accompanied by a bond written by The Fidelity and Casualty Company of New York in the sum of \$1600.00, which bid was given Document No. 439133;

The bid of T. B. Penick and Sons, co-partners, accompanied by a bond written by Massachusetts Bonding and Insurance Company in the sum of \$1600.00, which bid was given Document No. 439134.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

Councilman Godfrey returned and took his place on the Council after the opening of bids on La Jolla Hermosa Avenue paving.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving of bids for the paving and otherwise improving of 33rd Street, between the south line of Ocean View Boulevard and the south line of Wetmore and Sanborn's Addition, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 103207, the Clerk reported that five bids had been received, which bids were presented to the Council and on motion duly made and seconded were opened and publicly declared.

Said bids were as follows:

The bid of Griffith Company, accompanied by a bond written by National Surety Corporation in the sum of \$2200.00, which bid was given Document No. 439135;

The bid of V. R. Dennis Construction Co., accompanied by a bond written by American Surety Company of New York in the sum of \$2400.00, which bid was given Document No. 439136;

The bid of R. E. Hazard Contracting Co., accompanied by a bond written by Pacific Indemnity Company in the sum of \$2500.00, which bid was given Document No. 439137;

The bid of Daley Corporation, accompanied by a bond written by Glens Falls Indemnity Company in the sum of \$2500.00, which bid was given Document No. 439138;

The bid of Cox Bros. Construction Co., accompanied by a bond written by Great American Indemnity Company in the sum of \$2500.00, which bid was given Document No. 439139.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

At this time Councilman Dail was excused from the meeting.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of the Alley in Block 149, University Heights, within the limits and as particularly described in Resolution of Intention No. 103515, the Clerk reported that written protests had been received from Lena Schuckmann, Lydia A. Haverkamp and Cornelius Haverkamp, Bessie H. Cooper, Augustine Mulligan and Mary Mulligan, Alma Jean Henry, Henry O. Cooper and H. O. Cooper; which protests were presented.

Thereupon, the Mayor inquired if any interested persons and affected property owners were present who desired to be heard.

Mrs. Bessie H. Cooper, as owner of Lots 31 and 32, Block 149, University Heights, residing at 4130 Hamilton Street, states she had no use for alley paving, as her family uses a front-drive garage.

Mr. Henry O. Cooper, as owner of the West 44 feet of the East 96 feet of Lots 47 and 48, Block 149, University Heights, residing at 2535 Howard Avenue, objected. He stated his property has no alley frontage. He objected to the proposed wall and proposed drainage, and stated that existing costs for such work are too high.

Mr. Olson, representing the City Engineer's office, explained that the storm water would run down the center of the Alley.

Councilman Schneider asked questions about the retaining wall; which were answered by Mr. Olson.

Mr. Henry O. Cooper stated he had signed the original petition but now wished to withdraw his name for the work. The Mayor inquired if any others present has given their signatures in favor of the paving, but now wished to withdraw their names. Mr. Thomas Henry stated he wished to withdraw from the request, and that he and Mrs. Alma Henry owned Lots 29 and 30 in the subject Block, and resided at 4122 Hamilton Street.

It was pointed out by the Mayor that the original petition was signed by owners of 87.9% of the property frontage; and that the protestants were mostly those living in the district with no Alley frontage.

Councilman Swan inquired as to notices with cost estimates mailed to property owners. Mr. Olson of the City Engineer's office explained this feature of the proceedings.

At this time Councilman Dail returned and took his place on the Council; all members now being present.

The matter of information furnished to petitions circulators was described by Mr. Olson.

Mr. Augustine Mulligan, 4194 Hamilton Street spoke; stating he has no frontage on the alley and objects to the work and assessment.

Mr. Harris Rubel, 2527 Howard Avenue, objected to the installation of a retaining wall at property owners' expense. His questions were answered by the representative of the City Engineer and by the Mayor.

Councilman Kerrigan inquired if the grade had been changes. Mr. Olson stated that it had not.

Mrs. Lydia A. Haverkamp objected to the expense involved in alley paving under existing conditions with everything priced so high.

Mr. Harris Rubel and Councilman Kerrigan discussed the matter of official grades on this alley. The Engineer's representative explained the proposed change in the ground level; which it appeared would be very slight alongside Mr. Rubel's property line.

Councilman Dail explained the matter of grade elevations and the need for a retaining wall. Councilman Godfrey explained the need for this wall. Councilman Wincote said the wall was necessary to bring the alley up to the established grade.

All interested persons having been heard, RESOLUTION NO. 103867, recorded on Microfilm Roll No. 43, overruling the protests of Lena Schuckmann, contained in Document No. 439104; the protest of Lydia A. Haverkamp and Cornelius Haverkamp, contained in

Document No. 439105; the protest of Bessie H. Cooper, contained in Document No. 439112; the protest of Augustine Mulligan and Mary Mulligan, contained in Document No. 439166; the protest of Alma Jean Henry, contained in Document No. 439167; the protest of Henry O. Cooper, contained in Document No. 439168 and the protest of Mrs. H. O. Cooper, contained in Document No. 439169; and overruling all other protests, written or oral; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in Loma Portal Lighting District No. 1, for the period of one year from and including June 28, 1951, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 103868, recorded on Microfilm Roll No. 43, confirming and adopting as a whole the "Engineer's Report and Assessment for Loma Portal Lighting District No. 1", filed in the office of the City Clerk August 27th, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 1, for the period of one year from and including June 15, 1951, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 103869, recorded on Microfilm Roll No. 43, confirming and adopting as a whole the "Engineer's Report and Assessment for San Diego Lighting District No. 1", filed in the office of the City Clerk August 27th, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 2, for the period of one year from and including July 1, 1951, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 103870, recorded on Microfilm Roll No. 43, confirming and adopting as a whole the "Engineer's Report and Assessment for San Diego Lighting District No. 2", filed in the office of the City Clerk August 27th, 1951, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

A proposed hearing with O. W. Cotton and R. E. Hazard relative to the extension of sewer mains was mentioned; and on motion of Councilman Schneider, seconded by Councilman Wincote, the matter was referred to Council Conference to be held at 3:00 P.M. this date; by RESOLUTION NO. 103871, recorded on Microfilm Roll No. 43.

Petition of Mrs. Lena Kendall, requesting release of condemnation suit against her property for the Mission Bay Project, being Acre Lot 73, Block 7, Venice Park, was presented, and on motion of Councilman Schneider, seconded by Councilman Kerrigan, referred to the City Manager and the City Attorney.

Petition of twelve property owners living adjacent to a building at the corner of San Luis Rey Place and Bayside Walk, stating that the structure is a fire and health hazard and requesting it be declared a public nuisance, was presented and on motion of Councilman Dail, seconded by Councilman Godfrey, referred to the City Manager.

A letter from Attorney Richard P. MacNulty stated that this two story structure, during the prohibition era, was a boat house on Mission Bay, which was later hauled up on the beach and maintained as a residence, accompanied the petition.

Claim of The Pacific Telephone and Telegraph Company, for an estimated amount of \$500.00, based on damage to 26-pair, 24-gauge underground jute-protected cable at the foot of the 28th Street Mole Pier by a City pick being used by Mr. Fred Warnstedt while repairing an irrigation spigot, was presented.

RESOLUTION NO. 103872, recorded on Microfilm Roll No. 43, referring the claim of The Pacific Telephone and Telegraph Company to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Robert T. Priester, c/o 2601 South Figueroa Street, Los Angeles, in the amount of \$34.76, based on an automobile collision at the intersection of Twelfth Avenue and Market Street, between his automobile and a City-owned 1950 Pickup truck operated by Francisco Zubiate, an employee of The City of San Diego, was presented.

RESOLUTION NO. 103873, recorded on Microfilm Roll No. 43, referring the claim of Robert T. Priester to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Westside Motors, 1601 Kettner Boulevard, for an estimated amount of \$84.77, based on damage to an automobile by a City fire engine, while said automobile

was parked in front of 910 Ft. Stockton Drive, was presented.

RESOLUTION NO. 103874, recorded on Microfilm Roll No. 43, referring claim of Westside Motors to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Port Director submitting amendment to lease of the American Airlines, Inc. was presented. Mr. Carl Reupsch of the Harbor Department explained the proposed amendment to the Council.

RESOLUTION NO. 103875, recorded on Microfilm Roll No. 43, approving Agreement for Amendment of Tideland Lease, Amending Lease No. 1 between The City of San Diego and American Airlines, Inc., was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

This Agreement covered operations at Lindbergh Field and tenancy in the Airport Terminal Building; provided for new rental rates, increases in flight schedules, fees and landing weights.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids received from nine bidders for furnishing 1½", 2½" and 4" fire hose was presented.

RESOLUTION NO. 103876, recorded on Microfilm Roll No. 43, accepting the bid of Willis Tractor and Equipment Company, Inc. to furnish the City of San Diego with 600 feet of 1½" fire hose at a price of \$0.80 per foot, plus sales tax; and 2400 feet of 2½" fire hose at a price of \$1.34 per foot, plus sales tax; awarding the contract for furnishing same to said Willis Tractor and Equipment Company, Inc.; authorizing the execution of a contract for furnishing of said fire hose; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Recommendation relative bids for furnishing four 4" soft suction hoses was withheld pending additional information from bidders as to the couplings which they propose to furnish.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids received from four bidders for construction of a sewer across the northerly approach to the proposed Morena Boulevard Bridge was presented.

RESOLUTION NO. 103877, recorded on Microfilm Roll No. 43, accepting the bid of Pace Construction Company for the construction of a sewer across the northerly approach of the proposed Morena Boulevard Bridge, for the sum of \$2,441.75; awarding the contract to said Pace Construction Company; authorizing the execution of a contract for said work; was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103878, recorded on Microfilm Roll No. 43, approving the plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of portions of Fairmount Avenue, as contained in Document No. 439074; ascertaining and declaring the current or prevailing rate of per diem wages to be paid in connection with said work; authorizing the publishing of notice to contractors calling for bids for the work described; was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

(The work on Fairmount Avenue was to be done in the vicinity of Home Avenue.)

RESOLUTION NO. 103879, recorded on Microfilm Roll No. 43, approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the resurfacing of (1) Frontier Street & Rosecrans to West Point Loma (2) Linda Vista Road 100' north of Levant to north City limits near Aero Drive (3) University Avenue from west line of Euclid to approximately 60' east of 60th Street (4) 30th Street, from north line of A to south line of Imperial; 32nd from north line of Market to south line of Imperial Avenue, as contained in Document No. 439075; ascertaining and declaring the current or prevailing rate of per diem wages to be paid in connection with said work; authorizing the publishing of notice to contractors calling for bids for the work described; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Manager reporting on request of USO Advisory Council for endorsement of plan for temporary housing service to be handled by the National Travelers Aid; attaching copy of his reply stating the Mayor and Council approve of the findings and endorse the recommendations; was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed.

Communication from the City Manager reporting on letter from Walter L. Clemmons regarding regulations for keeping of bees; with copy of his reply to Mr. Clemmons attached; was presented and on motion of Councilman Wincote, seconded by Councilman Schneider, ordered filed.

Communication from the City Manager reporting on post card communication from R. W. Reed; with copy of his reply to Mr. Reed attached; was presented and on motion of Councilman Schneider, seconded by Councilman Dail, ordered filed.

The postal card made numerous criticisms and suggestions. Only part of the subjects covered came under the City's jurisdiction.

Communication from the City Manager reporting on request from the San Diego Neon Sign Company for approval of neon outline on building at 5462 La Jolla Boulevard; with copy of his reply explaining the procedure required to obtain consideration of this type of installation, by submitting the matter directly to the City Planning Commission; was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

Communication from the City Manager returning 37 communications pertaining to the fluoridation of the City's water supply; and reporting that the writers had been notified of the public hearing to be held on this matter October 23, 1951, at 2:00 P.M.; was presented and on motion of Councilman Dail, seconded by Councilman Wincote, ordered filed.

Communication from Dr. Ernest E. Oertel relative to the need for a sewer system in the Muirlands section of La Jolla, and other subjects, was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, referred to the City Manager.

Communication from the Pacific Indemnity Company reporting payment of \$17.52 in settlement of the claim of the Casino Theatre, Inc. for damage to marquee, was presented and on motion of Councilman Dail, seconded by Councilman Wincote, ordered filed.

Communication from the Pacific Indemnity Company reporting payment of \$65.56 in settlement of claim of F. DeLauer and the Jewett Hotel, covering damage caused by a water main break, was presented and on motion of Councilman Dail, seconded by Councilman Wincote, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Rev. W. F. DeBeck, based on collision between his Ford automobile and a fire hydrant, was presented.

RESOLUTION NO. 103880, recorded on Microfilm Roll No. 43, denying the claim of Rev. W. F. DeBeck, 5617 Bellevue Street, La Jolla, California, filed under Document No. 435811, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103881, recorded on Microfilm Roll No. 43, directing notice of filing of the Street Superintendent's Assessment No. 2035, made to cover the costs and expenses of the work of paving and otherwise improving of Oliphant Street, Poe Street and Locust Street, within the limits and as particularly described in Resolution of Intention No. 100060, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 103882, recorded on Microfilm Roll No. 43, accepting the bid of T. B. Penick & Sons, a co-partnership, for the paving and otherwise improving of the Alley in Block 2, Subdivision of Lots 7 to 17, inclusive, Block N, Teralta, within the limits and as particularly described in Resolution of Intention No. 103135, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

A written report made by the City Engineer stated that the low bid was 6.6% below the estimate.

RESOLUTION OF AWARD NO. 103883, recorded on Microfilm Roll No. 43, accepting the bid of Daley Corporation, for the paving and otherwise improving of Brant Street and Washington Street, within the limits and as particularly described in Resolution of Intention No. 103136, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

A written report made by the City Engineer stated that the low bid was 2.2% below the estimate.

RESOLUTION OF AWARD NO. 103884, recorded on Microfilm Roll No. 43, accepting the bid of John B. Henry, for the paving and otherwise improving of Niagara Avenue and Catalina Boulevard, within the limits and as particularly described in Resolution of Intention No. 103137, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

A written report made by the City Engineer stated that the low bid was 14.5% below the estimate.

RESOLUTION OF AWARD NO. 103885, recorded on Microfilm Roll No. 43, accepting the bid of Daley Corporation, for the paving and otherwise improving of Thorn Street and 45th Street, within the limits and as particularly described in Resolution of Intention No. 103134, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

A written report made by the City Engineer stated that the low bid was 19.9% below the estimate.

RESOLUTION NO. 103886, recorded on Microfilm Roll No. 43, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Playa Del Norte Street and Neptune Place, approving Plat No. 2272 showing the exterior boundaries of the district to be included in the assessment for said work and improvement, directing the City Clerk to file the said plat in the office of the City Engineer upon the passage of the resolution of intention, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 103887, recorded on Microfilm Roll No. 43, for the grading, paving and otherwise improving of Gamma Street, 42nd Street and Beta Street, within the limits and as particularly described in Resolution of Intention No. 103448, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 103888, recorded on Microfilm Roll No. 43, for the grading, paving and otherwise improving of San Juan Place, Alleys in Blocks 155, 159, and 160, Mission Beach, and Bayside Lane, within the limits and as particularly described

in Resolution of Intention No. 103449, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103889, recorded on Microfilm Roll No. 43, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Five Points Lighting District No. 1, for a period of one year from and including August 5, 1951, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103890, recorded on Microfilm Roll No. 43, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 1, for a period of one year from and including August 7, 1951, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 103891, recorded on Microfilm Roll No. 43, for the paving and otherwise improving of Playa Del Norte Street and Neptune Place, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 103892, recorded on Microfilm Roll No. 43, for the paving and otherwise improving of the Alley in Block 5, Chester Park Addition, between the north line of Orange Avenue and the southerly line of El Cajon Boulevard, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 103893, recorded on Microfilm Roll No. 43, for the installation of sewer mains and appurtenances in Brodiaea Way, Carrizo Drive, County Club Drive, Encelia Drive, Remley Place, Romero Court, Romero Drive and Public Rights of Way, within the limits and as particularly described in said Resolution of Intention, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 103894, recorded on Microfilm Roll No. 43, for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District No. 1, for a period of one year from and including September 15, 1951, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 103895, recorded on Microfilm Roll No. 43, for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Beach Lighting District No. 1, for a period of one year from and including September 1, 1951, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 103896, recorded on Microfilm Roll No. 43, for the closing of the easterly 9.00 feet of Vermont Street and the westerly 9.00 feet of Vermont Street, adjoining Lots 1 and 54 of Block 180 and Lots 21 and 22 of Block 181, respectively, of University Heights, according to Amended Map thereof made by G. A. d' Heme-court in Book 8, page 36 et seq. of Lis Pendens, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103897, recorded on Microfilm Roll No. 43, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work and improvement of paving Jarvis Street and Scott Street, as particularly described in Resolution of Intention No. 102546, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103898, recorded on Microfilm Roll No. 43, adopting the recommendation of the City Engineer filed under Document No. 438886, to amend the proceedings for the improvement of 9th Avenue, between Johnson Avenue and its northerly termination, in accordance with said recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103899, recorded on Microfilm Roll No. 43, granting property owner permission to install sanitary sewers in a portion of Taft Avenue by private contract, northerly from Forward Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103900, recorded on Microfilm Roll No. 43, accepting the bid of Fred E. Aminoff for the purchase of Lots 13 to 19, inclusive, in Block 125, University Heights, improved, for the sum of \$21,500.00; authorizing the Mayor and City Clerk to issue a quitclaim deed for and on behalf of The City of San Diego to Fred E. Aminoff and Gertrude Aminoff, husband and wife, as joint tenants; directing the Property Supervisor to place said deed in escrow, for delivery when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103901, recorded on Microfilm Roll No. 43, requesting the State Director of Finance to withdraw application for and rescind Executive Order No. P-69; authorizing Local Agency to repay the State of California the sum of \$7,004.67 received by Local Agency from the State of California on account of said allotment; rescinding Resolution No.

81850, adopted by the Council on October 2, 1945; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

This project is identified as "Mission Bay Improvement Project #3".

RESOLUTION NO. 103902, recorded on Microfilm Roll No. 43, requesting the State Director of Finance to withdraw application for and rescind Executive Order No. P-67; authorizing Local Agency to repay the State of California the sum of \$1,450.97 received by Local Agency from the State of California on account of said allotment; rescinding Resolution No. 81776, adopted by the Council on September 18, 1945; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

This project is identified as "Mission Bay Improvement Project #4".

RESOLUTION NO. 103903, recorded on Microfilm Roll No. 43, authorizing the Superintendent of Streets to cancel Certificate of Sale No. 1, based on Assessment No. 2, for the opening of Tamarack and Thorn Streets, which certificate and assessment are a lien on Lot 7, Block "H" of Montclair, owned by the City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103904, recorded on Microfilm Roll No. 43, authorizing a contract with the United States Department of the Interior, Bureau of Geological Survey, wherein said Bureau will undertake to install and equip gauging stations on the outlet tunnel below the dam and on the spillway section of both Morena and Barrett Reservoirs; estimated cost \$4,625; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103905, recorded on Microfilm Roll No. 43, authorizing an agreement with the San Diego Unified School District whereby the City will pay all assessments to be levied against school district property, consideration to be paid by the District of \$7398.75; in connection with the improvement of Jewell Street, between Pacific Beach Drive and Fortuna Avenue under 1911 Act Improvement Proceedings, etc., was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103906, recorded on Microfilm Roll No. 43, authorizing an agreement with the City of Coronado, whereby in consideration of the monthly payment of \$80.00, the City of San Diego shall service and repair all fixed and mobile Police and Fire Department radio equipment of the City of Coronado, etc., was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103907, recorded on Microfilm Roll No. 43, authorizing an agreement with the City of National City, whereby in consideration of the monthly payment of \$132.00, the City of San Diego shall service and repair all fixed and mobile Police and Fire Department radio equipment of the City of National City, etc., was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103908, recorded on Microfilm Roll No. 43, authorizing the City Manager to do all the work in connection with the construction of a garage to house equipment at the Chollas Station, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103909, recorded on Microfilm Roll No. 43, authorizing the City Manager to do all the work in connection with the construction of a gasoline filling station at the Chollas Station, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103910, recorded on Microfilm Roll No. 43, authorizing the City Manager to do all the work in connection with the construction of 15 motorcycle radio receivers and 15 motorcycle radio transmitters by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103911, recorded on Microfilm Roll No. 43, authorizing the City Manager to do all the work in connection with the replacement and rerouting of the north radio receiver line, in said City of San Diego, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103912, recorded on Microfilm Roll No. 43, approving Change Order No. 1, in connection with the contract with Walter H. Barber for the construction of culverts in 62nd Street and 63rd Street, northerly of Akins Avenue; amounting to an increase in the contract price of \$75.00; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103913, recorded on Microfilm Roll No. 43, approving Change Order No. 2, in connection with the contract with Cox Bros., for the improvement of Montezuma Road, from 63rd Street to El Cajon Boulevard; amounting to an increase in the contract price of \$25.00; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103914, recorded on Microfilm Roll No. 43, approving Change Order No. 3, in connection with the contract with Cox Bros. for the improvement of Montezuma Road, from 63rd Street to El Cajon Boulevard; amounting to an increase in the contract price of \$51.75; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103915, recorded on Microfilm Roll No. 43, granting permission to Pacific Recreation Center (Edward V. McGlynn, Manager) to remain open until 4:00 a.m. fortwo mornings each week, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

(This special concession was to accomodate bowling leagues exclusively for the swing shifts of aircraft workers.)

By unanimous consent, on motion of Councilman Schneider, seconded by Councilman Dail, the matter of automobile allowance for members of the City Council was brought up at this time.

After considerable discussion by Councilmen Wincote, Godfrey, Dail and Swan, RESOLUTION NO. 103916, recorded on Microfilm Roll No. 43, providing that commencing July 1, 1951, each member of the Council shall receive as reimbursement for expenses necessarily incurred the sum of Sixty Dollars (\$60.00) as and for an automobile allowance each month, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted. Councilman Wincote voted "Nay" on the motion.

Letters from former Councilmen Chester L. Dorman, Elmer H. Blase and Paul J. Hartley on the subject of automobile allowance for Councilmen were presented during the discussion.

ORDINANCE NO. 4936 (New Series), recorded on Microfilm Roll No. 43, appropriating the sum of \$8,455.64 from the funds appropriated out of the Capital Outlay Fund of The City of San Diego by Ordinance No. 3044 (New Series), for the purpose of refunding to The State of California sums received by said City out of allotments made by said State for Mission Bay Improvement projects Nos 3 and 4, was on motion of Councilman Swan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4937 (New Series), recorded on Microfilm Roll No. 43, appropriating the sum of \$5,000.00 from the Acquisition and Investigation Water Bond Fund of The City of San Diego, for the purpose of providing funds for paying the City's share of the cost of the installation of water gauging stations below Morena and Barrett Dams, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Dail, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--None.

ORDINANCE NO. 4938 (New Series), recorded on Microfilm Roll No. 43, appropriating the sum of \$2,700.00 from the 1951 Sewer Bond Fund of The City of San Diego (713 Bond Fund Account), for the purpose of providing funds for the construction of a sewer across the northerly approach of the proposed Morena Boulevard Bridge, in said City, was on motion of Councilman Swan, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

A proposed Ordinance incorporating district including Lot 11, Lemon Villa in The City of San Diego, California, into an "R-2" Zone as defined by Ordinance No. 8924 of the Ordinances of said City and amendments thereto; and repealing Ordinance No. 13559, adopted July 11, 1932, insofar as the same conflicts therewith, was presented.

On motion of Councilman Wincote, seconded by Councilman Swan, a hearing to consider the terms and provisions of this proposed Ordinance was set for Tuesday, October 23, 1951, at the hour of 10:00 o'clock a. m.

A proposed Ordinance incorporating district including Lots 7 to 12 inclusive, Block 212; Lots 1, 2, and 7 to 12, inclusive, Block 213; all of Block 228; Lots 1 to 8 inclusive, Block 229, Roseville, in The City of San Diego, California, into an "R-2" Zone as defined by Ordinance No. 8924 of the Ordinances of said City and amendments thereto; and repealing Ordinance No. 31 (New Series), adopted September 6, 1932, insofar as the same conflicts therewith, was presented.

On motion of Councilman Swan, seconded by Councilman Wincote, a hearing to consider the terms and provisions of this proposed Ordinance was set for Tuesday, October 23, 1951, at the hour of 10:00 o'clock a.m.

ORDINANCE NO. 4939 (New Series) recorded on Microfilm Roll No. 43, dedicating certain public lands as and for a portion of a public street across Lot 8 and portions of Lots 6, 7, 9 and 10, Block B, El Cerrito Heights, Unit No. 3, and naming the same 58TH STREET, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4940 (New Series) recorded on Microfilm Roll No. 43, changing the name of a portion of Wabash Boulevard to FEDERAL BOULEVARD, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Dail, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4941 (New Series) recorded on Microfilm Roll No. 43, changing the name of a portion of Wilcox Street to LOMALAND DRIVE, changing the name of Deerpark Street to Deerpark Drive, changing the name of Ruiz Street to POOLE STREET, changing the name of Tremont Street to TILDEN STREET, changing the name of Valencia Drive to LA PALOMA STREET and changing the name of Santa Rita Way to SANTA ROSALIA ROAD, was on motion of Councilman Dail, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4942 (New Series) recorded on Microfilm Roll No. 43, establishing the grade of the Alley in Block 6, Mountain View, in The City of San Diego, California, according to Map No. 1147, between the north line of Landis Street and the south line of Wightman Street, was on motion of Councilman Godfrey, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4943 (New Series), recorded on Microfilm Roll No. 43, establishing the grade of the Alley in Block 67, Point Loma Heights, in the City of San Diego, California, according to Map thereof No. 1106, between the Southeasterly line of Santa Barbara Street and the Westerly line of Venice Street, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Communication from Larry Imig on behalf of a corporation to be known as the Gleason Point Development Company, requesting an option to lease the property in the Mission Bay Development known as Gleason Point, for a period of not less than 50 years, was presented and on motion ordered filed.

On motion of Councilman Dail, seconded by Councilman Godfrey, a hearing relative to the terms and provisions of a proposed Ordinance to regulate the keeping of dogs was set for Tuesday, November 6th, 1951, at the hour of 10:00 o'clock A.M.

RESOLUTION NO. 103917, recorded on Microfilm Roll No. 43, authorizing the City Manager to do all the work in connection with the installation of 3900 feet of 12-inch cast iron water main, 460 feet of 6-inch water main, 1200 feet of hi-line, connection of 40 existing services to the new main, and the salvaging of the old main and appurtenances in Wightman Street, from 36th Street to the Alley east of Van Dyke Avenue, in said City of San Diego, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Wincote, seconded by Councilman Godfrey, at the hour of 11:20 o'clock A.M.


Mayor of The City of San Diego, California.

ATTEST: FRED W. SICK, City Clerk,

By Clark M. Foste Jr Deputy.

103917

4939-4943 N.S.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, October 4th, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:00 o'clock A.M.

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

The hour of 10:00 o'clock A.M. having arrived, this being the time and place fixed for the opening of bids on the \$2,000,000 WATERWORKS BONDS, 1951, and the \$750,000 SEWER BONDS, 1951, of The City of San Diego, dated October 1, 1951, the City Clerk reported that nine bids had been filed. Thereupon the bids were publicly opened, examined and declared. Said bids are as follows, to-wit:

The National City Bank of New York, Roosevelt & Cross, Incorporated, Dominick & Dominick, Laidlaw & Co., Fidelity Union Trust Company, Newark, Taylor and Company, Byrne and Phelps, Inc., Emerson Cook & Co. bid as follows:

"For \$2,000,000 Waterworks Bonds, 1951, to mature without option of prior payment \$100,000 each October 1, 1952-71, inclusive, to bear interest at the following rates per annum:

\$100,000 due 10/1/52	4%	\$100,000 due 10/1/62	1 3/4%
100,000	53 4	100,000	63 1 3/4
100,000	54 4	100,000	64 1 3/4
100,000	55 1 3/4	100,000	65 1 3/4
100,000	56 1 3/4	100,000	66 2%
100,000	57 1 3/4	100,000	67 2
100,000	58 1 3/4	100,000	68 2
100,000	59 1 3/4	100,000	69 2
100,000	60 1 3/4	100,000	70 2
100,000	61 1 3/4	100,000	71 2

we will pay par and accrued interest, plus a total premium of \$2300.00;

For \$750,000 Sewer Bonds, 1951, to mature without option of prior payment \$50,000 each October 1, 1952-66, inclusive, to bear interest at the following rates per annum:

\$50,000 due 10/1/52	4%	\$50,000 due 10/1/60	1 3/4%
50,000	53 4	50,000	61 1 3/4
50,000	54 4	50,000	62 1 3/4
50,000	55 1 3/4	50,000	63 1 3/4
50,000	56 1 3/4	50,000	64 1 3/4
50,000	57 1 3/4	50,000	65 1 3/4
50,000	58 1 3/4	50,000	66 2%
50,000	59 1 3/4		

we will pay par and accrued interest, plus a total premium of \$862.50".

Said bid was given Document No. 439281.

Blyth & Co., Inc., Harriman Ripley & Co., Incorporated, Lehman Brothers, R. H. Moulton & Co., Security-First National Bank of Los Angeles, R. W. Pressprich & Co., Hill, Richards & Co., McDonald & Company of Cleveland, McCormick & Co., Wagenseller & Durst Inc. bid as follows:

"For \$2,000,000 WATERWORKS BONDS, we will pay you, par (\$2,000,000), plus a premium of \$120.00, plus accrued interest to date of delivery. The bonds shall bear interest as follows:
1,100,000 par value of bonds, maturing from October 1, 1952 to October 1, 1962, inclusive, to bear interest at the rate of Two and one quarter percent (2 1/4%) per annum; and,
900,000 par value of bonds, maturing from October 1, 1963 to October 1, 1971, inclusive, to bear interest at the rate of Two percent (2%) per annum; and

for \$750,000 SEWER BONDS, we will pay you, par (\$750,000) plus a premium of 750.00, plus accrued interest to date of delivery. The bonds shall bear interest as follows:
750,000 par value of bonds, maturing from October 1, 1952 to October 1, 1966, inclusive, to bear interest at the rate of Two percent (2%) per annum;"

Said bid was given Document No. 439282.

Smith, Barney & Co., Northern Trust Company, Weeden & Co., Inc., American Trust Company, Heller, Bruce & Co., Wm. R. Staats Co. bid as follows:

"\$2,000,000 City of San Diego Waterworks Bonds, 1951

\$1,000,000 Bonds due 1952 to 1961 both inclusive	at 2%
\$400,000 Bonds due 1962 to 1965 both inclusive	at 1 3/4%
\$600,000 Bonds due 1966 to 1971 both inclusive	at 2%

\$750,000 City of San Diego Sewer Bonds, 1951

\$500,000 Bonds due 1952 to 1961 both inclusive	at 2%
\$200,000 Bonds due 1962 to 1965 both inclusive	at 1 3/4%
\$50,000 Bonds due 1966 to ---- both inclusive	at 2%

all without option of prior payment, to be in coupon form in the denomination of \$1,000,

principal and semi-annual interest (April 1 and October 1) to be payable at the Office of The City Treasurer of The City of San Diego in said City, or at The National City Bank, New York City, or at any branch of Bank of America National Trust and Savings Association in the State of California and as further described in the official notice of sale signed Fred W. Sick, City Clerk, we bid the sum of par plus an aggregate premium of \$618.75 of which \$450.00 is applicable to the \$2,000,000 City of San Diego Waterworks Bonds, 1951 and \$168.75 is applicable to the \$750,000 City of San Diego Sewer Bonds, 1951, and accrued interest from date of Bonds to date of delivery thereof".

Said bid was given Document No. 439283.

At this time Councilman Godfrey entered and took his place on the Council.

At this time Mayor Butler was excused, and Vice Mayor Schneider assumed the duties of Chairman.

First Securities Co., Chicago (Manager), National Bank of Commerce, Seattle, A. M. Kidder & Co., Gregory & Son, Inc. New York, Central Republic Co., Chicago, Paul Frederick & Co. New York, Wurts Dulles & Co., Philadelphia, Fulton Reid & Co. Cleveland, Ryan, Sutherland & Co. Toledo, Shaughnessy & Co. St. Paul, Sheridan Bogan Paul & Co. Philadelphia, Kenower MacArthur & Co. Detroit, T. H. Jones & Co. Cleveland, Hannaford & Talbot, San Francisco, By The First National Trust and Savings Bank of San Diego, bid as follows:

"For \$2,750,000 WATERWORKS BONDS, 1951, of the CITY OF SAN DIEGO, CALIFORNIA, maturing \$150,000 annually October 1, 1952 to 1971, inclusive, said bonds to bear interest at the following rates per annum -

1952 to 1953 maturities at 4%
1954 to 1966 maturities at 1 3/4%
1967 to 1971 maturities at 2%

we will pay \$2,750,000.00 plus a premium of \$825.00 and accrued interest to the date of delivery of the bonds to us."

Said bid was given Document No. 439284.

Phelps, Fenn & Co., Harris Trust and Savings Bank, First National Trust & Savings Bank and Associates bid as follows:

"For \$2,000,000 WATERWORKS BONDS, 1951, of the CITY OF SAN DIEGO, CALIFORNIA, maturing \$100,000 annually October 1, 1952 to 1971, inclusive, said bonds to bear interest at the following rates per annum -

1952 to 1958 maturities at 2 1/4%
1959 to 1964 maturities at 1 3/4%
1965 to 1971 maturities at 2%

we will pay \$2,000,000.00 plus a premium of \$548.00 and accrued interest to date of delivery of the bonds to us.

For \$750,000 SEWER BONDS, 1951, of the City of San Diego, California, maturing \$50,000 annually October 1, 1952 to 1966, inclusive, said bonds to bear interest at the following rates per annum -

1952 to 1958 maturities at 2 1/4%
1959 to 1964 maturities at 1 3/4% 1965 to 1966 maturities at 2%

we will pay \$750,000.00 plus a premium of \$205.50 and accrued interest to the date of delivery of the bonds to us.

Said bid was given Document No. 439285.

Glore, Forgan & Co., The First National Bank (Portland), Mercantile Trust Company, B. J. Van Ingen & Co. Inc., Geo. B. Gibbons & Company, Inc., Detmer & Co., Julien Collins & Company, Breed & Harrison, Inc., Field Richards & Co., bid as follows:

"In accordance with the official notice of sale dated August 28, 1951, we will pay Two million dollars (\$2,000,000.00), which represents about 100% of par value for \$2,000,000.00 - Waterworks Bonds, 1951, as described in said notice, bonds to bear interest as follows:

4% 1952 and 1953
1 3/4% 1954 to 1960 incl.
2% 1961 to 1971 incl.

We will also pay Seven hundred fifty-one thousand four hundred fifty-five dollars (\$751,455.00), which represents about 100.194% of par value for \$750,000.00 Sewer Bonds, 1951, as described in said notice, bonds to bear interest as follows:

4% 1952 and 1953
1 3/4% 1954 to 1960 incl.
2% 1961 to 1966 incl."

Said bid was given Document No. 439286.

Halsey, Stuart & Co. Inc., Blair, Rollins & Co. Incorporated, Stone & Webster Securities Corporation, Goldman, Sachs & Co., White, Weld & Co., Bacon, Stevenson & Co., Eldredge & Co., Incorporated, First of Michigan Corporation, Hornblower & Weeks, R. S. Dickson & Company, Incorporated, Hayden, Stone & Co., The First Cleveland Corporation, Fred D. Blake & Co., bid as follows:

"For \$2,000,000 Water Works Bonds, 1951, maturing \$100,000 annually October 1, 1952 to 1971 inclusive, bearing interest at the following rates per annum:

Maturities 1952 to 1955 inclusive 4%
" 1956 to 1967 " 1 3/4%
" 1968 to 1971 " 2%

Par plus accrued interest to the date of delivery and in addition thereto a premium of \$40.00 Forty Dollars

AND

For \$750,000 Sewer Bonds, 1951, maturing \$50,000 annually October 1, 1952 to 1966 inclusive, bearing interest at the following rates per annum:

Maturities 1952 to 1953 inclusive at 4%
 " 1956 to 1966 " at 1 3/4%

Par plus accrued interest to the date of delivery and in addition thereto a premium of \$15.00 Fifteen Dollars."

Said bid was given Document No. 439287.

Bank of America, N. T. & S. A. and Associates bid as follows:

"For the \$2,000,000 City of San Diego Waterworks Bonds, 1951; dated October 1, 1951; of the denomination of \$1,000 each; interest payable semi-annually on April 1 and October 1 of each year and maturing: \$100,000 par value on October 1 of each of the years 1952 to 1971, both years inclusive; we bid as follows:

\$200,000.00 par value maturing October 1, 1952 to October 1, 1953 inclusive, bearing interest at 4%,

\$1,300,000.00 par value maturing October 1, 1954 to October 1, 1966 inclusive, bearing interest at 1-3/4%,

\$500,000.00 par value maturing October 1, 1967 to October 1, 1971 inclusive, bearing interest at 2%,

and we will pay par and accrued interest to date of delivery, plus a premium of \$649.00.

For the \$750,000 par value City of San Diego Sewer Bond, 1951; dated October 1, 1951; of the denomination of \$1,000 each; interest payable semi-annually on April 1 and October 1 in each year and maturing: \$50,000 par value on October 1 in each of the years 1952 and 1966, both years inclusive, we bid as follows:

\$100,000.00 par value maturing October 1, 1952 to October 1, 1953 inclusive, bearing interest at 2%

\$650,000.00 par value maturing October 1, 1954 to October 1, 1966 inclusive, bearing interest at 1-3/4%,

and we will pay par and accrued interest to date of delivery plus a premium of \$559.00."

Said bid was given Document No. 439288.

The Chase National Bank, Manager, Bankers Trust Company, Kidder, Peabody & Co., California Bank, Los Angeles, L. F. Rothschild & Co. bid as follows:

"For \$2,000,000 Waterworks Bonds, 1951, due \$100,000 each October 1 in each of the years 1952 through 1971 both inclusive, we will pay \$2,000,000 plus a premium of \$200.00 and accrued interest to date of delivery for bonds bearing interest as follows:

\$300,000 1952 to 1954, both inclusive, at 4%

\$600,000 1955 to 1960, both inclusive, at 1 3/4%

\$1,100,000 1961 to 1971, both inclusive, at 2%

For \$750,000 Sewer Bonds, 1951, due \$50,000 each October 1 in each of the years 1952 through 1966 both inclusive, we will pay \$750,000 plus a premium of \$75.00 and accrued interest to date of delivery for bonds bearing interest as follows:

\$150,000 1952 to 1954, both inclusive, at 4%

\$300,000 1955 to 1960 both inclusive, at 1 3/4%

\$300,000 1961 to 1966, both inclusive, at 2%"

Said bid was given Document No. 439289.

Each of said bids was accompanied by a certified or cashier's check in the sum of \$82,500, as provided in the notice inviting bids. The City Attorney reported that each of said bids was regular and in accordance with the notice.

Thereafter, upon motion duly made by Councilman Kerrigan, and seconded by Councilman Swan, and carried, said bids were referred to the City Treasurer and the City Attorney for checking, said officers to compute the bids and report back to the Council immediately after such computation with their recommendation as to the best bid.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Annexation to The City of San Diego of Portions of Lots 75 and 79 and all of Lot 80 of Las Alturas Villa Sites, in The County of San Diego, State of California, Designated as "Donna Estates Tract", the Mayor inquired if any interested persons were present who desired to be heard.

No one appearing to be heard, orally, and no written protests having been received, ORDINANCE NO. 4944, New Series, recorded on Microfilm Roll No. 43, approving the Annexation to The City of San Diego of Portions of Lots 75 and 79 and all of Lot 80 of Las Alturas Villa Sites, in the County of San Diego, State of California, Designated as "Donna Estates Tract" was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan and Godfrey. Nays--Councilmen None. Absent--Councilman Dail and Mayor Butler.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan and Godfrey. Nays--Councilmen None. Absent--Councilman Dail and Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Charles D. Farrell from the decision of the Zoning Committee denying the request of Charles and Virginia Farrell to divide into three parcels with right to erect a single family residence on each, being a portion of Pueblo Lot 1288, legal description on file in Planning Office, Easterly and Northerly side of Hidden Valley Road, in Zone R-1, a report from the Senior Planning Technician, and written objections to the zone variance from Thomas L. Connor, Ward W. Woods, and fourteen other property owners, were read.

Councilman Godfrey asked Glenn Rick of the Planning Office questions as to the former and present size of parcels of land fronting on Hidden Valley Road, near La Jolla. The questions were answered; and a sketch showing present property divisions in the district was presented. Glenn Rick stated the Council has the right to grant or deny the request of Charles D. Farrell; but would probably have to act favorably for a request to file a regular subdivision map, dividing property into small lots in this R1 Zone.

No one was present to represent Mr. Charles D. Farrell, et ux.

An opponent of the Zone Variance spoke; stating it was a desire of the majority of property owners to maintain the present type of development; consisting of one house to a parcel of land at least an acre in size. Opponents of the Zone Variance were advised by Glenn Rick to apply for re-zoning to R-1A Zone, to prevent the filing of subdivision maps. The effect of R-1A Zoning was explained by the City Attorney. He stated that a subdivision map could be filed and "forced through", dividing land into small lots, unless the area is re-zoned.

All interested property owners having been heard, RESOLUTION NO. 103918, recorded on Microfilm Roll No. 43, overruling the appeal of Charles Farrell and Virginia Farrell, from the decision of the Zoning Committee in denying by its Resolution No. 5887, application No. 9810, for variance to the provisions of Ordinance No. 13294, to divide into three parcels with the right to erect a single family residence on each, being a portion of Pueblo Lot 1288, in the vicinity of the easterly and northerly lines of Hidden Valley Road, in Zone R-1; sustaining the said decision of the Zoning Committee, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

At this time Mayor Butler returned and took over his duties as Chairman of the meeting.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Charles E. Parrish from the decision of the Zoning Committee denying request of Charles E. and Jeanne E. Parrish to convert existing double garage to a living unit, making a total of three units on property, two units to be served by 8 ft. 6 inch access court, South 8 feet of Lot 6, all Lot 7, and North 8 feet Lot 8, Block 7, City Heights Annex No. 1, 3769-3771 Fairmount Avenue, in Zone C, report from the Senior Planning Technician was read. Communication from Mrs. W. O. Bourne, 3564 University Avenue, favoring the granting of the request of Charles E. Parrish et ux. for special building permit was presented.

Mr. Charles E. Parrish spoke. He presented a copy of his building plans and plot plan showing locations of structures on his land. He stated that a wall on adjoining property encroached about one foot on his premises. It was suggested that he should secure a licensed surveyor's drawing in this connection.

No other property owners appeared to be heard.

RESOLUTION NO. 103919, recorded on Microfilm Roll No. 43, referring the appeal of Charles E. Parrish and Jeanne E. Parrish from the decision of the Zoning Committee in denying by its Resolution No. 5874, application No. 9711, for variance to the provisions of Ordinance No. 8924, on the south 8 feet of Lot 6, all of Lot 7, and the north 8 feet of Lot 8, Block 7, City Heights Annex No. 1, in Zone C, to the Zoning Committee for study and report, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Claim of Julia L. Becker, 4460 Georgia Street, in the sum of \$1522.50, for personal injury resulting from a fall on the sidewalk on University Avenue at Ray Street, was presented.

RESOLUTION NO. 103920, recorded on Microfilm Roll No. 43, referring the claim of Julia L. Becker to the Pacific Indemnity Company was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Claim of Ethel W. Grosso, 3768 - 40th Street, for \$6.50, based on damage to her automobile in a collision with a car operated by an employee of the Department of Social Welfare, was presented.

RESOLUTION NO. 103921, recorded on Microfilm Roll No. 43, referring the claim of Ethel W. Grosso to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Claim of Mervyn Raymond, 1548 Broadway, in the sum of \$50.75, based on electrical damage at 1548 Broadway caused by a San Diego Fireman making changes in electrical equipment, was presented.

RESOLUTION NO. 103922, recorded on Microfilm Roll No. 43, referring the claim of Mervyn Raymond to the Pacific Indemnity Company was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Claim of Winifred White, 862 - 19th Street, in the sum of \$5000.00 based on personal damage caused by fall on the sidewalk at 19th and E Streets, was presented.

RESOLUTION NO. 103923, recorded on Microfilm Roll No. 43, referring the claim of Winifred White to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, approved by the City Manager, recommending the purchase, without advertising for bids of two Buick Roadmaster 5-passenger sedan automobiles, was presented.

RESOLUTION NO. 103924, recorded on Microfilm Roll No. 43, authorizing and directing the Purchasing Agent to purchase, in the open market, without advertising for bids, two Buick Roadmaster 5-passenger sedan automobiles, one at a price of \$3,020.16, standard color, and one at a price of \$3,095.16, including painting in Fire Department red; both prices to be plus state sales tax, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, approved by the City Manager, recommending informal bids, and to purchase without advertising for bids, various lengths of cast iron and steel pipe and sundry items for the installation of a Fresh Water Back Flow Protection System, at the Sewage Treatment Plant, was presented.

RESOLUTION NO. 103925, recorded on Microfilm Roll No. 43, authorizing and

directing the Purchasing Agent to call for informal bids for, and purchase in the open market, without advertising for bids, the City's requirements for various lengths of cast iron and steel pipe, cast iron and bronze valves, flanges, fittings, gauges, hose and sundry other items necessary in connection with the installation of a Fresh Water Back Flow Protection System at the Sewage Treatment Plant, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission recommending suspension of sections of the Subdivision Ordinance relative to the Tentative Map of Cosgrove Venice Heights, was presented.

RESOLUTION NO. 103926, recorded on Microfilm Roll No. 43, reapproving the suspension of sections of the Subdivision Ordinance in connection with the Tentative Map of Cosgrove Venice Heights; originally suspended under Resolution No. 96774; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted. Said suspensions were as follows:

3E5, to permit the lots fronting on 43rd Street or Ocean View Boulevard to be subdivided without an alley in the rear of the lots.

3J6, to permit these same lots to be less than 125 feet in depth.

4A8 and 6, to permit this Tentative and the Final Maps to be filed at a scale of 1 inch equals 50 feet.

5C, to permit lead and disks to be set at an offset in curb or sidewalk for all lot and block corners, angle points and points of curves on dedicated streets in lieu of monuments required at such points.

Communication from the City Planning Commission recommending the reapproval of the Tentative Map of Cosgrove Venice Heights, etc., was presented.

RESOLUTION NO. 103927, recorded on Microfilm Roll No. 43, reapproving the Tentative Map of Cosgrove Venice Heights, a subdivision consisting of 59 lots, located on the northerly side of Ocean View Boulevard and easterly of the extension of 43rd Street, approved by Council Resolution No. 96775 on February 7, 1950; subject to seven conditions fully set forth in said Resolution No. 103927; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the City Planning Commission recommending suspension of sections of the Subdivision Ordinance in connection with the reapproval of the Tentative Map of Vista Valencia, was presented.

RESOLUTION NO. 103928, recorded on Microfilm Roll No. 43, reapproving the suspension of sections of the Subdivision Ordinance in connection with the Tentative Map of Vista Valencia, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted. Said suspensions were as follows:

3E5, to omit the requirement of 20-foot alleys in the rear of all lots fronting on an 80-foot street.

3J6, to permit lots along future Logan Avenue to be less than 125 feet in depth.

4A8 and 6, to permit this map and the Final Map to be filed at a scale of 1 inch equals 50 feet.

5C, to permit lead and disks to be set at an offset in curb or sidewalk for all lot and block corners, angle points and points of curves on dedicated streets in lieu of monuments required at such points.

Communication from the City Planning Commission recommending reapproval of the Tentative Map of Vista Valencia, etc., was presented.

RESOLUTION NO. 103929, recorded on Microfilm Roll No. 43, reapproving the Tentative Map of Vista Valencia, a subdivision consisting of 22 lots, fronting on Olvera Avenue easterly of Euclid Avenue, approved by Resolution No. 99156, adopted on August 22, 1950; subject to eight conditions fully set forth in said Resolution No. 103929; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from City Planning Commission recommending approval of final Map of Ridge View Unit No. 1, subject to certain conditions, was presented.

RESOLUTION NO. 103930, recorded on Microfilm Roll No. 43, authorizing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Jackson & Scott, Inc., for the installation and completion of the unfinished improvements and the setting of the monuments required for Ridge View Unit No. 1; authorizing the City Engineer to present an ordinance establishing the official grades of all streets within said Subdivision; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103931, recorded on Microfilm Roll No. 43, adopting the Map of Ridge View Unit No. 1 and accepting the public streets, portions of a public street, abutters' Rights and Access Rights to a certain street and unnamed easements therein, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103932, recorded on Microfilm Roll No. 43, making a finding that the proposed use and operation of a concrete batching plant for pre-mix trucks and the storage of the materials on a portion of Pueblo Lot 1788, located at approximately 4750 Santa Fe Street, is not more objectionable or obnoxious to the particular community than other permitted uses in the M-1 Zone, provided that the dust problem will be eliminated and that the area to be utilized will be easterly and northerly of the proposed right-of-way of U. S. Highway 101 and turnoff; was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from George Gardner Dunne suggesting the formation of a "Santa Claus Club" to conduct Christmas celebrations was presented and on motion of Councilman Godfrey, seconded by Councilman Kerrigan, referred to the City Manager.

Communication from the Pacific Indemnity Company reporting on the claim of Robert James Saunders for \$9.04, for medical treatment of burns received fighting canyon fire in the Redwood and Central Avenue area, July 6, 1951; stating that they are closing their file without payment, was presented.

RESOLUTION NO. 103933, recorded on Microfilm Roll No. 43, denying the claim of Robert James Saunders, filed under Document No. 437974, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the Pacific Indemnity Company, reporting on the claim of Anna M. Trieb for \$150.00, based on a fall on the sidewalk at 3379-81 Adams Avenue on February 27th, 1951; stating that they are closing their file without payment, was presented.

RESOLUTION NO. 103934, recorded on Microfilm Roll No. 43, denying the claim of Anna M. Trieb, filed under Document No. 433480, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

A proposed Resolution approving the employment of John J. W. de Vries as a Special Engineer Aide for the Harbor Commission was presented.

The matter was explained by Carl Reupsch, of the Harbor Department. He read a list showing the special training, positions formerly held by, and qualifications of John J. W. de Vries; who has served in Engineering Capacity all over the world, and who has become an American Citizen during the past six months.

Questions asked by Councilman Schneider were answered by Carl Reupsch.

Mr. Fay of the Civil Service Office spoke; outlining objections of the Civil Service Director to employing personnel in the manner outlined in the Proposed Resolution, when the Civil Service lists contain names of persons eligible to fill the new position. He stated that if the Resolution is adopted his office wished a written ^{opinion} from the City Attorney on the matter. He quoted sections of a former opinion from the City Attorney bearing on the subject.

Carl Reupsch assured the Council that the employment would be purely temporary; not exceeding a period of six months, and stated this would be a contract matter, and the name of John J. W. de Vries would not appear on the City Pay Roll or affect the normal Civil Service procedure. He mentioned a big job pending on the Broadway Pier, and other work where Mr. de Vries' services would prove valuable.

All interested persons having been heard, RESOLUTION NO. 103935, recorded on Microfilm Roll No. 43, authorizing and empowering the Harbor Commission to employ John J. W. de Vries as a Special Engineer Aide for the month of October, 1951, at the monthly salary of \$300, with the option to said Harbor Commission to renew said monthly employment for a period not to exceed six months, and to pay the said John J. W. de Vries at a salary to be mutually agreed upon during said renewal period, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted. Councilman Schneider voted "Nay" on the motion.

RESOLUTION NO. 103936, recorded on Microfilm Roll No. 43, amending Resolution No. 99712, adopted October 3rd, 1950, requesting the cancellation of certain City-owned property, by deleting therefrom Lots 20 to 23, inclusive, Block 7 of Drucker's Subdivision; authorizing the notification of The County of San Diego and the proper City officials; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103937, recorded on Microfilm Roll No. 43, approving Change Order No. 4 in connection with the contract with Cox Brothers for the improvement of Montezuma Road, from 63rd Street to El Cajon Boulevard, contained in Document No. 437013; amounting to an increase in the contract price of \$105.00; was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103938, recorded on Microfilm Roll No. 43, approving the request of Pipe Linings, Inc., for an extension of time of 15 days, to and including October 13, 1951, in which to complete its contract for cleaning and cement mortar lining Torrey Pines Road 16" Cast Iron Pipe Line, from Prospect Place to Ardath Road, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103939, recorded on Microfilm Roll No. 43, authorizing R. L. Hill to erect a temporary tent at the Farmer's Market, 2750 Midway Drive, to be used for the period of fifteen days, commencing October 2, 1951; provided that said tent shall be erected and maintained in accordance with all rules, regulations and ordinances of The City of San Diego, and subject to the inspection and approval of the Building Inspector and the Fire Department; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103940, recorded on Microfilm Roll No. 43, approving and allowing the bill of San Diego City and County Convention Bureau, in the sum of \$3156.40 for expenses incurred, as approved by the Advertising Control Committee; authorizing a warrant to be drawn on the Advertising and Publicity Fund for said sum; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted. This sum was incurred in servicing of the recent American Legion Convention.

RESOLUTION NO. 103941, recorded on Microfilm Roll No. 43, accepting the easement for Right of Way executed by Alvarado Community Association, a corporation, and the Union Title Insurance and Trust Company, granting to The City of San Diego the permanent

easement and right of way to locate, construct, maintain, operate and repair a water main and appurtenances including the existing El Capitan Pipe Line; consisting of a strip of land 20 feet in width over and across portions of Lots 23 and 67 of Rancho Mission; directing the City Clerk to file said easement for right of way for record in the office of the County Recorder; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103942, recorded on Microfilm Roll No. 43, accepting the subordination agreement, executed by Mathew Fritz and Adda Fritz, beneficiaries, and Land Title Insurance Company, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 28; Block L, Montclair, to the right of way and easement for storm drain purposes heretofore conveyed to the City of San Diego through, along and across a portion of the said property; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103943, recorded on Microfilm Roll No. 43, accepting the deed of Raymond B. Talbot, as Tax Collector, conveying to The City of San Diego Lot 22, City Gardens; authorizing and directing the City Clerk to file the said deed of record in the office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103944, recorded on Microfilm Roll No. 43, accepting the deed of Lionel F. Bliss and Edith Bliss, conveying to the City of San Diego a portion of Lot 36 of The Highlands; authorizing and directing the City Clerk to transmit said deed to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103945, recorded on Microfilm Roll No. 43, accepting the deed of Roy D. Obert, also known as Roy T. Obert, and Eileen L. Obert, executed in favor of The City of San Diego, conveying to said City a portion of Lot 28 of The Highlands; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this Resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103946, recorded on Microfilm Roll No. 43, accepting the deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, executed in favor of The City of San Diego, conveying to said City Lot 6, Block 135 and 1/2 alley closing adjoining on south, according to G. A. D'Hemecourt Map in Villa Lots 353 and 356; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103947, recorded on Microfilm Roll No. 43, accepting the deed of Claude Chandler and Clara Chandler, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lots 385 to 397, inclusive, Sunshine Gardens, and a portion of Plantano Street, closed; setting aside and dedicating to the public use the lands therein conveyed as and for a public street; naming the same Encanto Boulevard; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103948, recorded on Microfilm Roll No. 43, accepting the deed of Motor Finance Company, a corporation, executed in favor of The City of San Diego, quitclaiming to The City of San Diego an easement and right of way for street purposes through, along and across a portion of Lots 385 to 397, inclusive, Sunshine Gardens, and a portion of Plantano Street, closed; setting aside and dedicating the land therein quitclaimed to the public use as and for a public street; and naming the same Encanto Boulevard; authorizing and directing the City Clerk to file said quitclaim deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103949, recorded on Microfilm Roll No. 43, accepting the deed of H. G. Fenton Material Company, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 13, Horton's Purchase of Ex-Mission Lands; setting aside and dedicating to the public use the lands therein conveyed as and for a public street; naming the same Fairmount Avenue; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103950, recorded on Microfilm Roll No. 43, accepting the deed of Sydney F. Furze and Estelle J. Furze, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Pueblo Lot 1774 of the Pueblo Lands of San Diego; setting aside and dedicating to the public use the lands therein conveyed as and for a public street; naming the same LA JOLLA SCENIC DRIVE; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103951, recorded on Microfilm Roll No. 43, accepting the deed of Hans C. Andersen and Anna C. Andersen, executed in favor of The City of San Diego, conveying to said City portions of Lot 3, Block 393, Old San Diego, according to Map thereof by James Pascoe; setting aside and dedicating the lands therein conveyed to the public use as and for a public street; naming the same Morena Boulevard; authorizing and directing the City Clerk to transmit the said deed to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103952, recorded on Microfilm Roll No. 43, accepting the deed of Bay Cornell, executed in favor of The City of San Diego, conveying to said City a portion of Lot 3, Block 72, Villa Tract, La Jolla Park; setting aside and dedicating the land therein conveyed to the public use as and for a public street; and naming the same Torrey Pines Road; authorizing and directing the City Clerk to transmit the said deed to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103953, recorded on Microfilm Roll No. 43, accepting the deed of The San Diego Unified School District of San Diego County, dedicating to The City of San Diego an easement and right of way for street purposes through, along and across a portion of Pueblo Lot 1286 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; setting aside and dedicating the lands therein conveyed to the public use as and for a public street; naming the same Torrey Pines Road; authorizing and directing the City Clerk to transmit said deed to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103954, recorded on Microfilm Roll No. 43, accepting the deed of J. W. Percival and Thelma B. Percival, executed in favor of The City of San Diego, conveying to said City portions of Pueblo Lot 1286 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; setting aside and dedicating the lands therein conveyed to the public use as and for a public street; naming the portion therein designated as "Parcel A" Torrey Pines Road; naming the portion therein designated as "Parcel B" La Jolla Shores Drive; authorizing and directing the City Clerk to transmit said deed to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103955, recorded on Microfilm Roll No. 43, accepting the deed of Howard C. Anderson and Margaret R. Anderson, executed in favor of The City of San Diego, conveying to said City a portion of Lot 2, Block 72, Villa Tract, La Jolla Park; setting aside and dedicating the land therein conveyed to the public use as and for a public street; naming the same Torrey Pines Road; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103956, recorded on Microfilm Roll No. 43, accepting the deed of Western Investment Company of San Diego, a California Corporation, executed in favor of The City of San Diego, conveying to said City Lots 19, 20, 21, 22, 23 and 24, Block 3, DePuy's Subdivision of the westerly half of the northwest quarter of Pueblo Lot 206; setting aside and dedicating to the public use as and for a public street the lands therein conveyed; naming the same Wabaska Drive; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103957, recorded on Microfilm Roll No. 43, accepting the deed of Armistead B. Carter, conveying to said City of San Diego an easement and right of way for sewer purposes through, along and across a portion of Pueblo Lot 1187 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103958, recorded on Microfilm Roll No. 43, accepting the deed of Fenton Material Company, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Pueblo Lots 1173 and 1182 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103959, recorded on Microfilm Roll No. 43, accepting the deed of Robert R. Fletcher and Jessie Fletcher, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 4, Block 5, Florence Heights Addition No. 2; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103960, recorded on Microfilm Roll No. 43, accepting the deed

of Albert A. Frost and Jessie T. Frost, executed in favor of the City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Pueblo Lot 1202 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103961, recorded on Microfilm Roll No. 43, accepting the deed of J. G. Kanlund, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposed through, along and across a portion of Pueblo Lot 1199 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; autorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103962, recorded on Microfilm Roll No. 43, accepting the deed of Solon S. Kipp and Della A. Kipp, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Pueblo Lot 1201 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103963, recorded on Microfilm Roll No. 43, accepting the deed of Thomas E. Sharp, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Pueblo Lot 1200 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103964, recorded on Microfilm Roll No. 43, accepting the deed of Union Title Insurance and Trust Company, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Pueblo Lot 1202 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; authorizing and directing the City Clerk to file the said deed of record in the office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103965, recorded on Microfilm Roll No. 43, accepting the deed of Union Title Insurance and Trust Company, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Pueblo Lot 1106 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; authorizing and directing the City Clerk to file the said deed of record in the office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103966, recorded on Microfilm Roll No. 43, accepting the deed of Emily D. Viery, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Noell Street, closed to public use by Resolution No. 26416 of the Common Council; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, California; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103967, recorded on Microfilm Roll No. 43, accepting the deed of West Coast Corporation, a California Corporation, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Pueblo Lot 1182 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103968, recorded on Microfilm Roll No. 43, accepting the deed of Louis A. Wilson and Mildred P. Wilson, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Pueblo Lot 1800 of the Pueblo Lands of San Diego, according to Map thereof made by James Pascoe in 1870; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103969, recorded on Microfilm Roll No. 43, accepting the deed of Nellie E. Wolf, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Pueblo Lot 1187 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103970, recorded on Microfilm Roll No. 43, accepting the deed of Irene M. Benson, now Irene M. Pendygraft, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 29, Block L, Montclair; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103971, recorded on Microfilm Roll No. 43, accepting the deed of Wallace B. Moyer, executed in favor of The City of San Diego, conveying to The City of San Diego an easement and right of way for storm drain purposes through, along and across a portion of Lot 28, Block L, Montclair; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The following item was presented by unanimous consent, on motion by Councilman Wincote, seconded by Councilman Kerrigan:

ORDINANCE NO. 4945 (New Series), recorded on Microfilm Roll No. 43, appropriating the sum of \$6,400.00 from the Unappropriated Balance, for the purpose of providing funds for the purchase of Automotive Equipment for the Police and Fire Departments, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

At the hour of 11:15 o'clock A.M. the Council took a recess, on motion of Councilman Wincote, seconded by Councilman Godfrey, until the hour of 2:00 o'clock P.M., this date.

Upon reconvening, at the hour of 2:15 o'clock P.M., the roll call showed the following:

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

A communication signed by R. C. Lindsay, City Treasurer; and by J. F. DuPaul, City Attorney By Louis M. Karp, Deputy, was presented and read. This communication stated, "In response to the invitation for bids covering the sale of \$2,000,000 Waterworks bonds, dated October 1, 1951, and \$750,000 Sewer bonds, dated October 1, 1951, nine bids were received.

The bid of the Bank of America, N.T. & S. A., and Associates was the best bid taking into consideration the net lowest interest cost to the City. The net interest cost to the City is 1.85524.

The next highest bid, First Securities Company of Chicago and Associates, is at an interest cost of 1.86777.

It is recommended that the award be made to Bank of America, N. T. & S. A., and Associates."

After considering this report, and being assured that the bid of the Bank of America, N. T. & S. A., and Associates, is the highest and best bid of a responsible bidder, on motion of Councilman Kerrigan, seconded by Councilman Wincote, RESOLUTION NO. 103972, recorded on Microfilm Roll No. 43, entitled, "Resolution Awarding Water Works Bonds, 1951, and Sewer Bonds, 1951, to the best bidder and rejecting other bids", was adopted by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Mayor Butler. Nays--Councilmen: None. Absent--Councilmen: Swan, Dail, Godfrey.

After the above Resolution was adopted Councilman Swan entered and took his place on the Council.

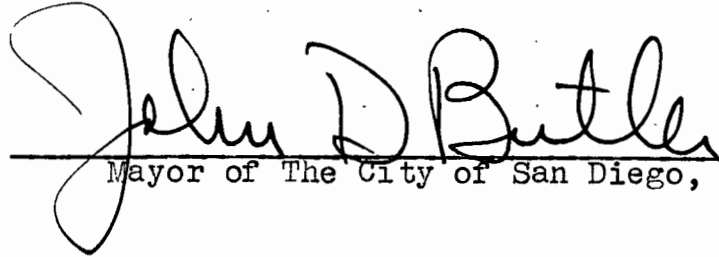
ORDINANCE NO. 4946 (New Series), recorded on Microfilm Roll No. 43, entitled, "An Ordinance of The City of San Diego, California, providing for the issuance of bonds of said City in the Principal Amount of \$2,000,000."; said bonds to be designated WATERWORKS BONDS, 1951, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen: Swan, Wincote, Schneider, Kerrigan, Mayor Butler. Nays--Councilmen: None. Absent--Councilmen: Dail, Godfrey.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Mayor Butler. Nays--Councilmen: None. Absent--Councilmen: Dail, Godfrey.

ORDINANCE NO. 4947 (New Series), recorded on Microfilm Roll No. 43, entitled, "An Ordinance of The City of San Diego, California, providing for the issuance of sewer bonds, 1951, of said City in the principal amount of \$750,000.", was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen: Swan, Wincote, Schneider, Kerrigan, Mayor Butler. Nays--Councilmen: None. Absent--Councilmen: Dail, Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Mayor Butler. Nays--Councilmen: None. Absent--Councilmen--Dail, Godfrey.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Wincote, at the hour of 2:40 o'clock P.M.



Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, CityClerk

By Clark M. Fode Jr
Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, October 9th, 1951.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:10 o'clock A.M.

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

The Minutes of the Regular Meetings of Tuesday, October 2nd, 1951, and of Thursday, October 4th, 1951, were presented to the Council by the Clerk. On motion of Councilman Wincote, seconded by Councilman Godfrey, said Minutes were approved without reading after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 3, for the period of one year from and including July 16, 1951, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard, verbally, and no written protests were presented. RESOLUTION NO. 103973, recorded on Microfilm Roll No. 43, confirming and adopting as a whole the "Engineer's Report and Assessment for San Diego Lighting District No. 3", filed in the office of the City Clerk August 31st, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the set for hearing the Application of the National Lumber Company, a partnership, maintaining offices at 708 East 8th Street, National City, for review of the matter and setting aside the determination of the City Treasurer heretofore made that the sum of \$1,359.16 is due the City of San Diego pursuant to the provisions of Sales and Use Tax Ordinance No. 3201 (New Series), etc., all papers in connection with the application were presented.

Attorney Albert F. Herney, representing the National Lumber Company, outlined the issued involved. He stated this firm is a co-partnership, consisting of Mary L. Johnson, George V. Johnson and H. H. Johnson, operating mainly in National City and Chula Vista. He explained the firm had a contract to furnish plumbing for the Fairmount Apartments, in San Diego, and arranged to install the same. The City Treasurer's office, in April, 1951, decided to check the firm's books, in connection with collecting sales and use tax for the City of San Diego.

Deputy City Attorney Herman F. Landgraf explained the City's interests. He said the tax should be collected from the owner of the building, ultimately; but that the contractor furnishing the material is liable.

Thereupon, RESOLUTION NO. 103974, recorded on Microfilm Roll No. 43, denying the appeal of the National Lumber Company, a partnership, maintaining offices at 708 East 8th Street, National City, for setting aside the determination of the City Treasurer heretofore made that the sum of \$1,359.16 is due the City of San Diego pursuant to the provisions of Sales and Use Tax Ordinance No. 3201 (New Series), etc., was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

After the adoption of said Resolution further remarks were made by Attorney Albert F. Herney and Councilman Godfrey; but no further action taken.

Petition of Harold A. Mosier requesting that the City hold a public auction for the sale of a portion of Pueblo Lot 1297, consisting of 20.103 acres; being a tract which was offered at auction on August 21st, 1951; was presented and on motion of Councilman Schneider, seconded by Councilman Godfrey, referred to the City Manager.

Application of Harold C. Cochran for certificate of necessity to operate two automobiles for hire, under the name of the Silver Grey Cab Company, was presented and on motion of Councilman Schneider, seconded by Councilman Godfrey, referred to the City Manager.

Claim of Joseph H. Mitchell and Thelma M. Mitchell for \$358.00, based on damage done by a City-owned truck to premises at 1635 Mary Lou Drive, was presented. RESOLUTION NO. 103975, recorded on Microfilm Roll No. 43, referring the claim of Joseph H. Mitchell and Thelma M. Mitchell to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, approved by the City Manager, recommending advertising for bids for Asbestos Cement Pipe to be placed in stock was presented. RESOLUTION NO. 103976, recorded on Microfilm Roll No. 43, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids to furnish the City of San Diego with (1) 50,000 Ft. type C1 150, 6"; (2) 3,000 Ft. C1 150, 10" (3) 17,500 Ft. C1 150, 12" Asbestos Cement Pipe, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the office of the City Clerk bearing Document No. 439395, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, approved by the City Manager, recommending the purchase, without advertising for bids, of one used carryall scraper, was presented.

RESOLUTION NO. 103977, recorded on Microfilm Roll No. 43, authorizing the purchase from Carroll and Foster, without advertising for bids, a used carryall scraper from Carroll and Foster, having a capacity of 8 to 12 cubic yards, in good mechanical condition, at a price of \$2,250.00, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103978, recorded on Microfilm Roll No. 43, approving the plans, specifications and wage scale, and authorizing bids, for the construction of a storm drain in Block 57, H. M. Higgin's Addition, in accordance with specifications contained in Document No. 439400, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Application of Fred Opp for a license to conduct a cabaret with paid entertainment at Hollywood Cafe, 3112 University Avenue, was presented; bearing recommendations for approval from the City Manager and interested City Departments.

RESOLUTION NO. 103979, recorded on Microfilm Roll No. 43, granting permission to Fred Opp to conduct a cabaret with paid entertainment at Hollywood Cafe, 3112 University Avenue, where liquor is sold but no dancing conducted; subject to the regular license fee, and to compliance with existing regulations, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on petition from Felix Mazade requesting waiver of requirement for sanitary facilities in his place of business at 937-25th Street, a beauty shop, stating that Mr. Mazade has agreed to have the facilities installed, was presented and on motion of Councilman Schneider, seconded by Councilman Swan, ordered filed.

Communication from the City Manager reporting on communication from the Old San Diego Chamber of Commerce requesting assurance that its lease at 3960 Mason Street will be renewed; submitting copy of his reply stating that the lease does not run out until September 30, 1952, and that it is not anticipated that anything will prevent a renewal of the present lease when it expires; was presented and on motion of Councilman Swan, seconded by Councilman Godfrey, ordered filed.

Communication from the City Manager reporting on communication of Mr. Wm. Z. Stomski objecting to parking of automobiles near his residence at 4057 Brant Street; together with copy of his reply stating such parking is not illegal, although it may be excessive; was presented and on motion of Councilman Swan, seconded by Councilman Kerrigan, ordered filed.

Communication from the City Manager submitting recommendations of the Planning Commission with reference to the tentative map of Vista Park, revised, covering the subdivision of Pueblo Lot 1214, concurring in the recommendations for approval subject to the twelve conditions outlined by said Commission, was presented.

RESOLUTION NO. 103980, recorded on Microfilm Roll No. 43, referring to Council Conference the proposed Resolution suspending certain sections of the Subdivision Ordinance relative to tentative map of Vista Park and the proposed Resolution approving the revised Tentative Map of Vista Park, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission submitting two resolutions relative to the final map of Belleview Heights, Unit No. 6, was presented.

RESOLUTION NO. 103981, recorded on Microfilm Roll No. 43, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with San Diego Associates, Inc., a corporation for the installation and completion of the unfinished improvements, and the setting of the monuments required for Belleview Heights Unit No. 6; authorizing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103982, recorded on Microfilm Roll No. 43, adopting the map of Belleview Heights Unit No. 6, and accepting the public streets and unnamed easements therein, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Planning Commission submitting two resolutions relative to the final map of El Cerrito Heights, Unit No. 4, was presented.

RESOLUTION NO. 103983, recorded on Microfilm Roll No. 43, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with John H. Lovett and Lucille Lovett, husband and wife, and Ronald S. Brock and Pearle C. Brock, husband and wife, subdividers; and Union Title Insurance and Trust Company, a corporation, Trustee, for the construction and completion of the unfinished improvements and the setting of the required monuments and stakes for El Cerrito Heights Unit No. 4; authorizing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103984, recorded on Microfilm Roll No. 43, adopting the Map

of El Cerrito Heights Unit No. 4, and accepting the public streets, and named and unnamed easements therein, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the La Jolla Woman's Club protesting against the proposed subdivision on both sides of La Jolla Mesa Drive and south of La Jolla Scenic Drive in the Muirlands-Mesa Area, was presented and on motion of Councilman Godfrey, seconded by Councilman Kerrigan, referred to the City Attorney.

Communication from the Pacific Indemnity Company announcing the payment of \$131.50 on the claim of Ed C. Shea for an accident in front of the Greyhound ticket office in which a City Maintenance Truck was involved, was presented and on motion of Councilman Godfrey, seconded by Councilman Kerrigan, ordered filed.

Communication from the Pacific Indemnity Company, announcing closure, without payment of the claim of Dr. C. E. Godfrey, based on damage to his automobile by a fire hydrant protruding too far into a former parking space, was presented.

RESOLUTION NO. 103985, recorded on Microfilm Roll No. 43, denying the claim of Dr. C. E. Godfrey and Margaret M. Godfrey, 3355 Brant Street, in the sum of \$3.90, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103986, recorded on Microfilm Roll No. 43, directing notice of filing of the Street Superintendent's Assessment No. 2037, made to cover the costs and expenses of the work of installation of paving, and otherwise improving of Oliphant Street and Chatsworth Boulevard, within the limits and as particularly described in Resolution of Intention No. 101049, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103987, recorded on Microfilm Roll No. 43, directing notice of filing of the Street Superintendent's Assessment No. 2036, made to cover the costs and expenses of the work of installation of paving and otherwise improving of Sequoia Street, Crown Point Drive and Pacific Beach Drive, within the limits and as particularly described in Resolution of Intention No. 100895, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103988, recorded on Microfilm Roll No. 43, directing notice of filing of the Street Superintendent's Assessment No. 2038, made to cover the costs and expenses of the work of installation of an ornamental lighting system in 30th Street, between Lincoln Avenue and Wightman Street, within the limits and as particularly described in Resolution of Intention No. 99509, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 103989, recorded on Microfilm Roll No. 43, accepting the bid of Griffith Company, a corporation, and awarding contract for the paving and otherwise improving of Beardsley Street and 22nd Street, within the limits and as particularly described in Resolution of Intention No. 103209, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

A written report made by the City Engineer stated that the low bid was 19.8% below the estimate.

RESOLUTION OF AWARD NO. 103990, recorded on Microfilm Roll No. 43, accepting the bid of R. E. Hazard Contracting Co., a corporation, and awarding contract for paving and otherwise improving of Coronado Avenue, Del Mar Avenue and Orchard Avenue, within the limits and as particularly described in Resolution of Intention No. 103210, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

A written report made by the City Engineer stated that the low bid was 21.3% below the estimate.

Resolution of Award accepting the bid of Al E. Riley, Inc. a corporation, and awarding contract for paving and otherwise improving of La Jolla Hermosa Avenue, between La Canada and Camino de la Costa, within the limits and as particularly described in Resolution of Intention No. 103208, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

A written report made by the City Engineer stated that the low bid was 1.1% below the estimate.

(See first item under Unanimous Consent on to-day's minutes for further action in connection with this paving project.)

RESOLUTION OF AWARD NO. 103991, recorded on Microfilm Roll No. 43, accepting the bid of Cox Bros. Construction Co., a co-partnership, and awarding contract for the paving and otherwise improving of 33rd Street, between Ocean View Boulevard and the north line of Pueblo Lot 1161, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 103207, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

A written report made by the City Engineer stated that the low bid was 13.7% below the estimate.)

RESOLUTION NO. 103992, recorded on Microfilm Roll No. 43, approving plans,

drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the portion of Myrtle Avenue, between the east line of 39th Street and the southerly prolongation of the east line of the Alley in Block 94, City Heights, approving Plat No. 2292 showing the exterior boundaries of the district to be included in the assessment for said work and improvement, directing the City Clerk to file said plat in the office of the City Engineer upon the passage of the resolution of intention, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103993, recorded on Microfilm Roll No. 43, approving plans, drawings, typical cross-sections, profiles and specifications for the paving of and otherwise improving of the portion of 9th Avenue, between the north line of Johnson Avenue and a line parallel to and distant 290 feet northerly from the north line of Johnson Avenue, approving Plat No. 2296 showing the exterior boundaries of the district to be included in the assessment for said work and improvement, directing the City Clerk to file said plat in the office of the City Engineer upon the passage of the resolution of intention, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 103994, recorded on Microfilm Roll No. 43, for paving and otherwise improving of the Alley in Block 149, University Heights, within the limits and as particularly described in Resolution of Intention No. 103515, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 103995, recorded on Microfilm Roll No. 43, for the furnishing of electric current for the lighting of the ornamental street lights in Loma Portal Lighting District No. 1, for a period of one year from and including June 28, 1951, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 103996, recorded on Microfilm Roll No. 43, for the furnishing of electric current for the lighting of the ornamental street lights in San Diego Lighting District No. 1, for a period of one year from and including June 15, 1951, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 103997, recorded on Microfilm Roll No. 43, for the furnishing of electric current for the lighting of the ornamental street lights in San Diego Lighting District No. 2, for a period of one year from and including July 1, 1951, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103998, recorded on Microfilm Roll No. 43, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 3, for a period of one year from and including August 7, 1951, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 103999, recorded on Microfilm Roll No. 43, for the paving and otherwise improving of Myrtle Avenue, between the east line of 39th Street and the southerly prolongation of the east line of the Alley in Block 94, City Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104000, recorded on Microfilm Roll No. 43, for the paving and otherwise improving of Ninth Avenue, between the north line of Johnson Avenue and a line parallel to and distant 290.00 feet northerly from the north line of Johnson Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104001, recorded on Microfilm Roll No. 43, for the installation of sewer mains in Balboa Avenue, Pasadena Street, Albuquerque Street, De Soto Street, Del Rey Street, Santa Fe Street, Pacific Highway and Public Rights of Way, within the limits and as particularly described in Resolution of Preliminary Determination No. 103514; ascertaining and declaring the prevailing rate of per diem wages paid by private employers in the City of San Diego for a day of eight hours for each craft, laborer, type of workman or mechanic, to be paid in connection with the contract for the installation of said sewer mains; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104002, recorded on Microfilm Roll No. 43, adopting the recommendation of the City Engineer, filed under Document No. 438877; authorizing said City Engineer to amend the proceedings for the installation of sidewalks around Block 2 and adjacent to Lots 42 through 48, in Block 1, Laurel Heights, in accordance with said recommendation; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104003, recorded on Microfilm Roll No. 43, adopting the recommendation of the City Engineer, filed under Document No. 438879; authorizing said City Engineer to amend the proceedings for the improvement of Missouri Street, between Lamont Street and the westerly line of Acre Lot 51, at Pacific Beach, in accordance with said recommendation; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104004, recorded on Microfilm Roll No. 43, rescinding Resolution No. 93748, adopted on May 17, 1949; and abandoning all proceedings thereunder, was

on motion of Councilman Godfrey, seconded by Councilman Dail, adopted. This affected the proceeding for paving Santa Barbara Place, the Alleys in Blocks 96, 97, 99, et al., Mission Beach.

RESOLUTION NO. 104005, recorded on Microfilm Roll No. 43, adopting the recommendation of the City Engineer filed under Document No. 438876; authorizing said City Engineer to amend the proceedings for the improvement of portions of Ventura Boulevard and Public Rights of Way in Lots V and W, Block 97, Mission Beach, in accordance with said recommendation; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104006, recorded on Microfilm Roll No. 43, granting Ets-Hokin & Galvan an extension of time to and including the 23rd day of July, 1951, in which to complete their contract for the installation of traffic signals and safety lights on Wabash Boulevard, Section A, which said contract is contained in Document No. 428357, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104007, recorded on Microfilm Roll No. 43, authorizing and empowering the City Manager to do all the work in connection with the salvaging or abandonment of 640 feet of 2-inch W. I. pipe and the installation of 640 feet of six-inch water main in Florida Street, from University Avenue to Robinson Avenue, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104008, recorded on Microfilm Roll No. 43, authorizing and directing the Treasurer to exchange \$500,000 par value of 1-1/4% U. S. Treasury Notes purchased from inactive funds in the City Treasury, due November 1, 1951, for \$500,000 1-7/8% U. S. Certificates of Indebtedness, maturing October 1, 1952, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104009, recorded on Microfilm Roll No. 43, entitled, " In the matter of relinquishment of newly constructed portion of Federal Boulevard, between Market and Bancroft Streets and the existing Federal Boulevard near Home Avenue, by The City of San Diego to The State of California, Department of Public Works, Division of Highways, and relinquishment by latter body to City of former State Highway Route 200, between Market Street and the existing Federal Boulevard west of Home Avenue", was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104010, recorded on Microfilm Roll No. 43, granting permission to Jo Anne Filippi and Frank J. Filippi to install a four-inch cast iron sewer line between the property line and the sidewalk, to serve property at 5651 Bonita Drive; subject to conditions specified in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 104011, recorded on Microfilm Roll No. 43, for closing of all that portion of an Unnamed Street, shown on Map No. 501 of Las Alturas Villa Sites and lying adjacent to the southerly line of Churchward Street and to Lots 6 and 7 of Shirley Terrace, according to Map No. 2585, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104012, recorded on Microfilm Roll No. 43, authorizing and directing the Purchasing Agent to advertise for sale and to sell surplus scrap material located at the 20th and B Streets Yards, consisting of 2 tons Scrap Rubber Tires; 7 tons Scrap Steel, 2 tons Cast Iron, 300 pounds Scrap Brass, one ton of scrap copper wire and three tons of scrap lead cable; the latter two items being located at Kettner Boulevard and Grape Street Yards; was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104013, recorded on Microfilm Roll No. 43, authorizing and directing the City Clerk to return to Lee E. Mattei, 3714 Lotus Drive the \$60.00 deposited by him for the putting up for public auction sale portions of Lots 19, Block 16, Point Loma Heights, as Mr. Mattei was not the successful bidder for said property, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104014, recorded on Microfilm Roll No. 43, authorizing R. M. Gregory, Construction Engineer, for R. C. Dailard, Associate Superintendent, San Diego Unified School District, to lay approximately 270 feet of 6-inch Cast Iron Sewer Line from the north property line on Olive Street, at Hamilton School Site (City sewer connection) to run easterly on school property to connect up two new kindergarten buildings, at a fall of 1/8" per foot; was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104015, recorded on Microfilm Roll No. 43, granting permission to Kenneth Denton to install a 65-foot driveway, as measured at the top of the full-height curb, on the northerly side of Turquoise Street, adjacent to the easterly 65 feet of Lots 1, 2 and 3, Block 2, Pacific Beach Vista Tract, for access to a new service station being constructed on Turquoise Street, between La Jolla Boulevard and La Jolla Mesa Drive, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104016, recorded on Microfilm Roll No. 43, granting permission to Mrs. Iva T Lowthian to install a private sewer line on property designated as 3984-3986 Cleveland Avenue (Lots 43 and 45, Block 184, University Heights) at a fall of

not less than 1/8" per foot, to connect with public sewer; subject to conditions specified in said Resolution; was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104017, recorded on Microfilm Roll No. 43, granting permission to C. E. Truitt, to install a private sewer line at a grade of approximately 1/8" per foot, to connect new construction service at 4714-16 Arizona Street with existing private sewer line serving 4712 Arizona Street, thence to connect with City sewer main; subject to conditions specified in said Resolution; was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104018; recorded on Microfilm Roll No. 43, granting permission to Vernon E. Taylor, 735 Garnet Street, to install two 30-foot driveways on the easterly side of Mission Boulevard between points 13 feet and 43 feet and points 81 feet and 111 feet north of the north line of Grand Avenue; also, to install two 30-foot driveways on the northerly side of Grand Avenue between points 15 feet and 45 feet and points 68 feet and 98 feet east of the east line of Mission Boulevard; all adjacent to Lots 37 to 40 inclusive, Block 228, Pacific Beach; to provide access to service station at subject location, and to meet City requirements; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104019, recorded on Microfilm Roll No. 43, authorizing Robert L. Clayton, Dairy Inspector, Public Health Department, to attend the meeting of the California Association of Dairy and Milk Sanitarians, to be held at San Francisco, California, October 15th to 17th, 1951; authorizing him to incur all necessary expenses in connection with said trip; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 4948 (New Series), recorded on Microfilm Roll No. 43, appropriating the sum of \$10,000.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds to pay the City's share of the cost of construction of storm sewers under a co-operative agreement with property owners, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4949 (New Series) recorded on Microfilm Roll No. 43, appropriating the sum of \$2,250.00 from the Contingency Reserve Fund of The City of San Diego, for the purpose of providing funds for the purchase of a carryall scraper for the refuse division of the Department of Public Works, was on motion of Councilman Wincote, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4950, (New Series), recorded on Microfilm Roll No. 43, appropriating the sum of \$2,000.00 from the Unappropriated Balance of The City of San Diego, for the purpose of providing funds for the printing and mailing of water conservation folders, was on motion of Councilman Godfrey, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4951 (New Series), recorded on Microfilm Roll No. 43, appropriating the sum of \$425.00 from the Unappropriated Balance of The City of San Diego, for the purpose of providing funds for the purchase of new equipment for the Central Duplicating Office, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4952, (New Series), recorded on Microfilm Roll No. 43, dedicating certain public land being portions of Lots 29 to 48, inclusive, Block 110, Subdivision of Pueblo Lot 1168, for portions of a public highway and naming the same HARBOR DRIVE, was on motion of Councilman Dail, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

By Unanimous Consent, on motion of Councilman Schneider, seconded by Councilman Kerrigan, the following items were considered:

Resolution awarding to Al E. Riley, Inc. a corporation, the contract for paving and otherwise improving of La Jolla Hermosa Avenue, adopted previously in this meeting, was reconsidered on motion of Councilman Schneider, seconded by Councilman Kerrigan. The City Manager stated he had received a telephone call objecting to this award of contract; on the grounds that Al E. Riley, Inc., a corporation, was proceeding too slowly on work previously awarded to said firm.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter of paving and otherwise improving of La Jolla Hermosa Avenue, and the proposed award of a contract for said work, was referred to the City Manager for investigation and report.

RESOLUTION NO. 104021, recorded on Microfilm Roll 43, authorizing and directing the City Manager to apply for membership in the San Diego County Weather Corporation, and sign any and all membership agreements which may be necessary in order that said City become a participating member of said corporation, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104020, recorded on Microfilm Roll 43, authorizing Walter R. Schwob, of the Mission Bay Planning Department, to go to Sacramento, California, for the purpose of delivering claims for reimbursable moneys on the Mission Bay Project, and to expedite payment thereof; authorizing him to incur all expenses necessary in connection with said trip; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 4953 (New Series), recorded on Microfilm Roll No. 43, appropriating the sum of \$8,800.00 from Account 489-62, Water Department Fund of the City of San Diego, for the purpose of providing funds for paying the City's share of contributions to be made to San Diego County Weather Corporation for carrying on a program of securing precipitation by artificial nucleation, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

RESOLUTION NO. 104022, recorded on Microfilm Roll No. 43, authorizing and directing the Acting Director of the Water Department, with the approval of the City Manager, to file an application with the State Division of Water Resources for the approval of plans and specifications for Sutherland Dam, and that the expenditure of the sum of not to exceed \$11,000.00 from funds heretofore contributed for the use of the City in the preparation of said plans and specifications, as the filing fee authorized to be paid by state law for the investigation by said State Division of Water Resources of the said plans and specifications, is also authorized, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

At the hour of 10:40 o'clock A.M., the Council took a recess, on motion of Councilman Schneider, seconded by Councilman Wincote, until the hour of 11:30 o'clock A.M., this date.

Upon reconvening, at the hour of 11:45 A.M., the roll call showed the following:

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

Communication from the City Manager submitting recommendations of the Planning Commission with reference to the tentative map of Vista Park, revised, revised, was again presented; having been referred to Council conference by Resolution No. 103980, adopted this date.

RESOLUTION NO. 104023, recorded on Microfilm Roll No. 43, suspending the following sections of the Subdivision Ordinance relative to the Tentative Map of Vista Park, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted:

Section 3E5, to omit the requirement of an alley in the rear of lots facing on Alessandro Street.

Section 3I2, to permit blocks in excess of 900 feet due to topographical conditions.

Sections 4A8 and 6, to permit the Final Map to be drawn at a scale of 1 inch equals 50 feet.

Section 5C, to permit lead and disks to be set at an offset in curb or sidewalk for all lot and block corners, angle points and points of curves on dedicated streets, in lieu of monuments required at such points.

RESOLUTION NO. 104024, recorded on Microfilm Roll No. 43, approving the revised Tentative Map of Vista Park, a subdivision of Pueblo Lot 1214, consisting of an area of 160 acres located one-half mile north of the northerly limits of Chesterton and approximately one-fourth of a mile westerly of Linda Vista Road and northeasterly limits of the City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted; subject to twelve conditions fully set out in said Resolution.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Godfrey, at the hour of 11:50 o'clock A.M.



Mayor of The City of San Diego, California.

ATTEST:
FRED W. SICK, City Clerk

By Clark M. Foste Jr Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, October 11th, 1951.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:00 o'clock A.M.

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

Claim of J. Myrtle Moore for \$8500.00, based on personal injuries caused by a fall on the public walk adjacent to the monkey cages in the San Diego Zoo, Balboa Park, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the claim was referred to the City Clerk for transmittal to the San Diego Zoo.

At this time Councilman Swan entered and took his place on the Council.

Communication from the Port Director submitting Resolution approving Agreement for Amendment of Tideland Lease, Amendment No. 3, with Martinolich Shipbuilding Company, was presented.

RESOLUTION NO. 104025, recorded on Microfilm Roll No. 43, approving Agreement for Amendment of Tideland Lease between the City of San Diego and Martinolich Shipbuilding Company as Lessee and Security Trust and Savings Bank of San Diego as Assignee; a copy of which Agreement is contained in Document No. 439512; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

(This Amendment provided for a slight increase in the land area covered by the original lease; with a proportional increase in the rent.)

Communication from Assemblyman Kathryn T. Niehouse enclosing copy of Assembly Bill No. 2082; providing that fishing vessels shall be taxed at a rate not exceeding ten percent of the rate of other tangible personal property fixed by the taxing agency in the jurisdiction in which the vessel is assessed, etc., was presented. The communication requested a Council Resolution approving this measure which is now before the State Senate Interim Committee.

On motion of Councilman Kerrigan, seconded by Councilman Swan, the matter was referred to the City Manager.

Communication from Mrs. W. O. Bourne commenting on recent increase in automobile allowance for City Councilmen was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, ordered filed.

Communication from the Pacific Indemnity Company advising of the payment of \$16.4 on October 5th, 1951, in full settlement of the claim of Anthony F. Brown, was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

At this time Councilman Godfrey entered and took his place on the Council.

RESOLUTION NO. 104026, recorded on Microfilm Roll No. 43, granting the application of George H. Harger, Vice President, Greene-Haldeman, 2100 South Figueroa Street, Los Angeles, for certificate of public necessity and convenience to operate twelve "U-Drive" Automobiles for Hire, under the name of Haldeman-Greene, as recommended by the Chief of Police and the City Manager, providing all ordinances pertaining to the operation and licensing of automobiles-for-hire are complied with; including subsequent inspection and approval by the Police Department; was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104027, recorded on Microfilm Roll No. 43, approving Change and Extra Work Order No. 2, issued in connection with the contract between The City of San Diego and Pipe Linings, Inc., for cleaning and cement mortar lining Torrey Pines Road 16-inch Cast Iron Pipe Line, from Prospect Place to Ardath Road; which said contract is contained in Document No. 436768; and approving the changes therein set forth, amounting to an increase in the contract price of \$794.33; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104028, recorded on Microfilm Roll No. 43, authorizing the City Manager to enter into an agreement for and on behalf of The City of San Diego with Alice Construction Corporation, subdividers of Donna Estates Subdivision, providing for the installation of water mains and appurtenances in the area adjacent to said subdivision; whereby Alice Construction Corporation agrees to pay to said City the sum of \$3174.87, being agreed share for water main installation in property adjoining Donna Estates; which installation will help to provide water service for said Donna Estates; all as fully set forth in copy of agreement filed under Document No. 439534; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104029, recorded on Microfilm Roll No. 43, directing Fred W. Sick, City Clerk, and R. C. Lindsay, City Treasurer, to go to Los Angeles as soon as the \$2,000,000 Waterworks Bonds, 1951, and the \$750,000 Sewer Bonds, 1951, have been lithographed, for the purpose of signing and delivering said bonds to The Bank of America National Trust and Savings Association, and Associates, the bidders for said bonds; authorizing them to incur all necessary expenses in connection with said trip; said expenses to be payable from the funds heretofore appropriated by Ordinance No. 4923, New Series; was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4954 (New Series), recorded on Microfilm Roll No. 43, establishing the grade of the Alley in Block 128, City Heights, according to Map No. 1007, between the south line of Thorn Street and a line parallel to and distant 520.00 feet south from the south line of Thorn Street, was on motion of Councilman Schneider, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The following items were considered under unanimous consent, on motion of Councilman Schneider, seconded by Councilman Kerrigan:

RESOLUTION NO. 104030, recorded on Microfilm Roll No. 43, authorizing the Martin's United Shows of Los Angeles to hold a carnival at Comstock and Ulric Streets, Linda Vista, from October 12th to 21st, 1951; provided that said carnival shall be conducted in accordance with all rules, regulations and ordinances of the City, including payment of Carnival License Fee of \$50.00 per day, and that it meets with the approval of the Building and Electrical Inspection Departments, the Fire Marshal and the Health Department, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

City Planning Director Glenn Rick reported on a public hearing held by the Planning Commission on October 10th, 1951, relative to proposed relocation of a portion of State Highway Route 2 (U.S. Highway 101), in the vicinity of Balboa Avenue. The City Planning Commission hearing was in connection with a proposed Amendment to the Major Street Plan, to coincide with proposal of the State Division of Highways for relocating State Highway Route 2 between 0.9 mile south of Balboa Avenue and 0.6 mile north of Balboa Avenue; with new connections to existing roads, etc.

Glenn Rick reported that there was very little opposition to the proposed change in alignment of this main highway, and that it was the recommendation of the City Planning Commission that the change be made. Mr. Rick explained details of a plat prepared by the State Division of Highways and a proposed Amendment to the Major Street Plan embodying the new roadways.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the recommendation of the City Planning Commission was approved; and the matter referred to the City Attorney for preparation and presentation of an Ordinance; by Resolution No. 104031, recorded on Microfilm Roll No. 43.

Port Director John Bate presented a communication recommending that certain work in connection with a traffic circle at the junction of Byron Street Mole and Shelter Island be done with City forces.

RESOLUTION NO. 104032, recorded on Microfilm Roll No. 43, authorizing the Port Director to do all the work in connection with the construction of curbs and sidewalks at the junction of Byron Street Mole and Shelter Island by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

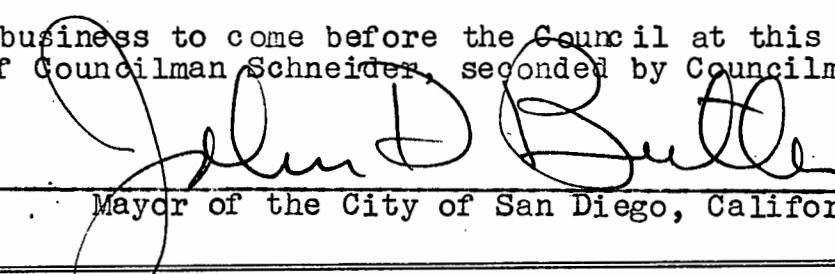
Port Director John Bate presented a communication recommending that certain work in connection with the construction of Storm Drains at the junction of Byron Street Mole and Shelter Island, including the laying of approximately 620 feet of pipe and the construction of six Catch Basins and one Outfall, be done with City forces.

RESOLUTION NO. 104033, recorded on Microfilm Roll No. 43, authorizing the Port Director to do all the work in connection with the construction of Storm Drains at the junction of Byron Street Mole and Shelter Island in the City with appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Dail, seconded by Councilman Godfrey, the City Attorney was requested to prepare and present a Resolution commending Representative Clinton D. McKinnon, and United States Senators Richard Nixon and William F. Knowland, for their efforts in securing the "Second Barrel" of the Colorado River-San Diego Aqueduct; also conveying thanks to others assisting in the passage of legislation needed to make this vitally needed improvement a reality.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 10:17 o'clock A.M.

ATTEST: FRED W. SICK, City Clerk,


Mayor of the City of San Diego, California.

By  Deputy

REGULAR MEETING

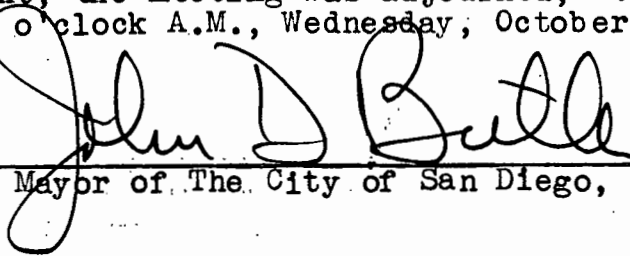
Chamber of the Council of the City of San Diego, California,
Tuesday, October 16, 1951

There was no meeting held this date, inasmuch as members of the Council were in attendance at the League of California Cities annual meeting, and a quorum was not present.

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

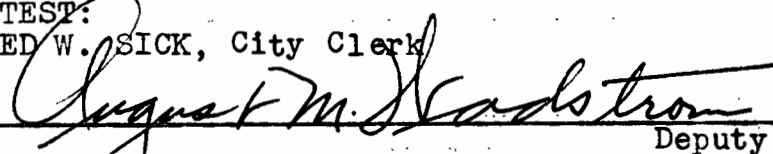
*

Inasmuch as no quorum was present, the meeting was adjourned, at the hour of 10:00 o'clock A.M., until the hour of 10:00 o'clock A.M., Wednesday, October 17, 1951.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

ADJOURNED MEETING

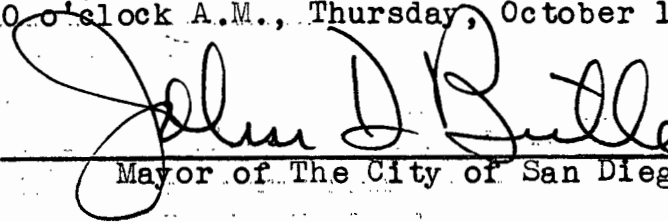
Chamber of the Council of the City of San Diego, California,
Wednesday, October 17, 1951

There was no meeting held this date, inasmuch as members of the Council had not returned from the League of California Cities annual meeting, and a quorum was not present.

Present--Councilman Wincote
Absent---Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Clerk----August M. Wadstrom

*

Inasmuch as no quorum was present, the meeting was adjourned, at the hour of 10:00 o'clock A.M., until the hour of 9:30 o'clock A.M., Thursday, October 18, 1951.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

* The hearing on the Street Superintendent's Assessment for Sewers in Euclid Avenue, et al, was continued until the meeting of Wednesday, October 17; it was continued, again, until the meeting of Thursday, October 18.

ADJOURNED MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, October 18, 1951

An Adjourned Meeting of the Council (adjourned from Tuesday, October 16, to Wednesday, October 17; adjourned from Wednesday, October 17, to this date) was held, and was called to order by the Mayor at the hour of 9:35 o'clock A.M.

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

The Minutes of the Regular Meetings of Tuesday, October 9, 1951, and of Thursday, October 11, 1951; and of the adjourned Meetings of Wednesday, October 17, were presented to the Council.

On motion of Councilman Godfrey, seconded by Councilman Dail, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 9:30 o'clock having arrived, the time to which the hearing had been continued for the improvement of Euclid Avenue, et al, by installation of sewers, the Clerk presented to the Council written appeals.

The matter was continued, temporarily, awaiting arrival of a representative from the City Engineer's office.

The hearing will be shown again, in detail, later in the Minutes for this Meeting.

Claim of Lincoln Ambulance Service, 3978 Park Boulevard, in the estimated sum of \$35.00, for damage done to one of its ambulances by a City truck, was presented.

RESOLUTION NO. 104034, recorded on Microfilm Roll No. 43, referring claim of Lincoln Ambulance Service to the Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Claim of J. D. Locke, 1437 Myrtle Avenue, in the estimated sum of \$110.87, for damage done to his automobile by a Harbor Department truck, was presented.

RESOLUTION NO. 104035, recorded on Microfilm Roll No. 43, referring claim of J. D. Locke to the Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Claim of G. W. Van den Akker, 825 Johnson Avenue, San Diego 3, for damage to houses at 3915 and 3913 Dwight Street, due to water backing up from sewer line in the house at #3913, in the estimated sum of \$42.83, was presented.

RESOLUTION NO. 104036, recorded on Microfilm Roll No. 43, referring claim of G. W. van den Akker to the Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Councilman Wincote entered the meeting at this time.

Communication from the Purchasing Agent, bearing the stamps of approval of the City Manager and the Assistant City Manager, recommending purchase in the open market of drive, wheels, rims, etc., for mounting pneumatic tires on a five-ton yard crane, was presented.

RESOLUTION NO. 104037, recorded on Microfilm Roll No. 43, authorizing and directing the Purchasing Agent to purchase from Smith Booth Usher Company, without advertising for bids, the necessary drive, wheels, rims, etc., for mounting pneumatic tires of five-ton yard crane, at a price not to exceed \$1,040.30 plus sales tax, f.o.b. Delaware, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution states that the value of the crane would be greatly increased by substitution of pneumatic tires and that equipment for change-over may be obtained only from said Company, the agents for the crane.

Communication from the City Manager reporting on petition from Park West Civic Association for stop signs at Fifth Avenue and Laurel Street, stating that four-way signs were installed October 2, 1951, and advising that the secretary of the Association had been so informed, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from from the City Manager reporting on communication from the Point Loma-Ocean Beach Civic Association for plan to landscape and develop Collier Park, was presented, together with copy of his reply. The report recommended filing.

The copy of the reply, detailed as to origin on the park, its past activity and apparent unadaptability for development, stated that it is in the interest of the Ocean Beach area to develop the beach rather than the park, and that the Planning Commission has been requested to make a complete study for orderly development of the entire Ocean Beach area, including its recreational facilities.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending granting petition of Ralph Goldstein for rezoning Lots 3 through 9 Montezuma Heights from R-1 to R-2, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending denial of petition of Harold Lewis for classification of his business at 4641 Market Street as a permissible use in Zone C, was presented.

The Assistant to the City Manager made a brief report in the matter, referring to copy of said communication.

RESOLUTION NO. 104038, recorded on Microfilm Roll No. 43, denying petition for finding that proposed use of Lot 4 Market Street Knolls at 4641 Market Street, by Harold Lewis for bending table and fabricating steel is similar to other C zone uses permitted under the ordinance, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

Communication from the Acting City Engineer in connection with improvements in the Alleys in Blocks 96, 97, 99, 100, 103, 104 and 107 Mission Beach, Santa Barbara Place and Ventura Boulevard, et al, relative to additional work therein, was presented.

W. D. Olson of the City Engineer's Office explained the matter to the Council.

RESOLUTION NO. 104039, recorded on Microfilm Roll No. 43, adopting recommendation of the City Engineer on improvement of Alleys in Blocks 96, 97, 99, 100, 103, 104 and 107 Mission Beach, Santa Barbara Place and Ventura Boulevard, et al, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval and the City Manager's stamp of approval, recommending granting of the petition for closing portion of the Alley in Block 13 Las Alturas No. 4., by the Roman Catholic Bishop, was presented.

The report states that the alley is unimproved but that an 8 inch sewer is located in a portion, and that satisfactory arrangements have been made to provide easements for the sewer and exit to the Alley if requested.

RESOLUTION NO. 104040, recorded on Microfilm Roll No. 43, granting petition for closing portion of the Alley in Block 13 Las Alturas No. 4 as recommended by the Street Superintendent, directing the City Engineer to furnish a description of the lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval and the City Manager's stamp of approval, recommending granting of the petition for closing the Alleys in Blocks C, E and F Tecolote Heights, stating that they are unimproved and contain no utilities, was presented.

RESOLUTION NO. 104041, recorded on Microfilm Roll No. 43, granting petition for closing Alleys in Blocks C, E and F Tecolote Heights as recommended by the Street Superintendent, directing the City Engineer to furnish a description of the lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval and the City Manager's stamp of approval, recommending granting petition to close portion of Chamoune Avenue between El Cajon Boulevard and Norwood Street, and portion of Norwood Street westerly from Chamoune Avenue, was presented.

The report states that the property is adjacent to the Hoover High School and that the Schools own the property adjacent to the streets proposed to be closed, and that satisfactory arrangements have been made to take care of an existing water main and a sewer located in Chamoune and construction of a suitable turnaround on Norwood Street.

RESOLUTION NO. 104042, recorded on Microfilm Roll No. 43, granting petition for closing portions of Chamoune Avenue and Norwood Street as recommended by the Street Superintendent, directing the City Engineer to furnish a description of the lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from a group of residents expressing thanks for the moving of the Humane Society, and stating that people living and working in the neighborhood of its former site are grateful therefor, was presented.

On motion of Councilman Dail, seconded by Councilman Godfrey, said communication was ordered filed.

Communication from Mission Valley Improvement Association, dated October 5, signed by Mrs. Grace Allen, secretary, 1019 Greenwood Street, relative to plans being made for seeking zone variances for commercial purposes, expressing opposition to general commercialization of the Valley, etc., was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was referred to the City Manager.

Communication from Pacific Indemnity Company, dated October 10, 1951, signed by J. M. MacConnell, reporting payment of claim of Charles W. Currie in the sum of \$200.00, was presented.

On motion of Councilman Dail, seconded by Councilman Wincote, said communication was ordered filed.

At this time the hearing proceeded on the Street Superintendent's Assessment No. 2033, made to cover the costs and expenses of the work done upon installation of sewers in Euclid Avenue, 51st Street, Geneva Avenue, Roswell Street, Winston Drive, Hilltop Drive, Melrose Place, Selma Place, Creston Drive, Hanover Street, Derby Street, Market Street, Beverly Street and Public Rights of Way under Resolution of Intention No. 99399, (which had been continued temporarily from earlier in the meeting).

The appeals mentioned by the Clerk from Samuel Berinstein, Secretary of the Luberco, Ltd.; Mrs. Margaret Diener, Wm. W. Whiteley, Ernest Marquardt, were presented to the Council.

The Acting City Engineer made a verbal report to the Council, in which he said that the appeals all dealt with alleged overcharges, and stated that assessments were equitable and based upon the same system as used for other properties in the district.

RESOLUTION NO. 104043, overruling and denying the appeals of Luberco, Ltd.; Mrs. Margaret Diener, Wm. W. Whiteley and Ernest Marquardt, from the Street Superintendent's Assessment No. 2033 made to cover the costs and expenses of the work of installing sewers in Euclid Avenue, 51st Street, Geneva Avenue, Roswell Street, Winston Drive, Hilltop Drive, Melrose Place, Selma Place, Creston Drive, Hanover Street, Derby Street, Market Street, Beverly Street, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 99399, overruling and denying all other appeals; confirming and approving said assessment, directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and record the same in his office, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 104044, recorded on Microfilm Roll No. 43, accepting bid of Al E. Riley, Inc., and awarding contract for paving and otherwise improving of La Jolla Hermosa Avenue, within the limits and as particularly described in Resolution of Intention No. 103208, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104045, recorded on Microfilm Roll No. 43, approving plans, drawings, typical cross-sections, profiles and specifications for the sidewalk and otherwise improving of portions of Commonwealth Avenue, Laurel Street and Boundary Street, approving Plat No. 2274 showing the exterior boundaries of the district to be included in the assessment, directing the City Clerk to file said plat in the office of the City Engineer upon passage of the Resolution of Intention, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104046, recorded on Microfilm Roll No. 43, approving plans, drawings, typical cross-sections, profiles and specifications for the grading and otherwise improving of portions of Missouri Street and public right of way in Acre Lot 51 Pacific Beach, approving Plat No. 2281 showing the exterior boundaries of the district to be included in the assessment, directing the City Clerk to file said plat in the office of the City Engineer upon passage of the Resolution of Intention, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 104047, recorded on Microfilm Roll No. 43, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 3, for a period of one year from and including July 16, 1951 to and including July 15, 1952, in accordance with the Engineer's Assessment and Report therefor filed August 31, 1951 in the office of the City Clerk, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 104048, for the closing of portion of Alvarado Street more particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION CHANGING GRADE NO. 104049, recorded on Microfilm Roll No. 43, changing grade of portion of Byron Street, within the limits and as particularly described in said Resolution, and as further described in Resolution of Intention No. 103288, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104050, recorded on Microfilm Roll No. 43, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Loma Portal Lighting District No. 1, for a period of one year from and including June 28, 1951, to and including June 27, 1952, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104051, recorded on Microfilm Roll No. 43, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 1, for a period of one year from and including June 15, 1951, to and including June 14, 1952, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104052, recorded on Microfilm Roll No. 43, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 2, for a period of one year from and including July 1, 1951, to and including June 30, 1952, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104053, recorded on Microfilm Roll No. 43, for sidewalk portions of Commonwealth Avenue, Laurel Street and Boundary Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104054, recorded on Microfilm Roll No. 43, for the paving and otherwise improving of portions of Missouri Street and Public Right of Way in Acre Lot 51 Pacific Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 104055, recorded on Microfilm Roll No. 43, for the construction of sewers in Balboa Avenue, Pasadena Street, Albuquerque Street, DeSoto Street, Del Rey Street, Santa Fe Street, Pacific Highway and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 104056, recorded on Microfilm Roll No. 43, for the furnishing of electric current for the lighting of the ornamental street lights located in Adams Avenue Lighting District Number One, for a period of one year from and including October 13, 1951, to and including October 12, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104057, recorded on Microfilm Roll No. 43, for the furnishing of electric current for the lighting of the ornamental street lights located in Midway Drive Lighting District Number One, for a period of one year from and including October 1, 1951, to and including September 30, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104058, recorded on Microfilm Roll No. 43, for the furnishing of electric current for the lighting of the ornamental street lights located in Roseville Lighting District Number One, for a period of one year from and including October 15, 1951, to and including October 14, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104059, recorded on Microfilm Roll No. 43, granting petition for paving and otherwise improving of the Alleys in Blocks 3 Ocean View and 6 Ocean Beach Park, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be assessed therefor, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104060, recorded on Microfilm Roll No. 43, granting petition for installation of sewers in area in and adjoining Aschoff, Miller and Kelly Subdivision and Pueblo Lot 276, directing the City Engineer to furnish a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed therefor; repealing Resolution No. 102478 adopted May 29, 1951, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104061, recorded on Microfilm Roll No. 43, granting petition for installation of sewers to serve Imig Park No. 2, directing the City Engineer to furnish a plat showing the exterior boundaries of the district or lands to be affected and benefited therefor, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104062, recorded on Microfilm Roll No. 43, granting petition for paving and otherwise improving of Landis Street, directing the City Engineer to furnish a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed therefor, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104063, recorded on Microfilm Roll No. 43, granting petition for the paving and otherwise improving of Locust Street, Newell Street, and Oliphant Street, directing the City Engineer to furnish a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed therefor, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104064, recorded on Microfilm Roll No. 43, granting petition for paving and otherwise improving of Manzanita Drive, directing the City Engineer to furnish a plat showing the exterior boundaries of the district or lands to be affected by and to be assessed therefor, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104065, recorded on Microfilm Roll No. 43, granting petition for the paving and otherwise improving of Wawona Drive, directing the City Engineer to furnish a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed therefor, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104066, recorded on Microfilm Roll No. 43, granting petition for paving and otherwise improving of West Street, directing the City Engineer to furnish a description of the assessment district and a plat showing the exterior boundaries of the district or lands to be affected and benefited and to be assessed to pay for said improvement, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104067, recorded on Microfilm Roll No. 43, directing the Supervisor of Properties to file petition with the Board of Supervisors of San Diego County for the cancellation of taxes on various properties acquired by the City, which are more particularly set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104068, recorded on Microfilm Roll No. 43, directing the Purchasing Agent to sell 19 surplus automobiles located in the Ford Building, Balboa Park, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104069, recorded on Microfilm Roll No. 43, authorizing Paul Beermann, E. F. Thomas, R. A. Campbell and R. C. Wueste of the Water Department, to attend a conference of the California Section of the American Water Works Association in San Francisco, departing from San Diego on October 23, 1951 and returning on October 28, and the incurring of the necessary expenses in connection therewith, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104070, recorded on Microfilm Roll No. 43, authorizing Dr. L. J. Proper, Chief, Bureau of Milk Inspection and Veterinary Service, to attend the California Association of Dairy and Milk Sanitarians at San Francisco, to be held October 15-17, 1951, and to incur the necessary expenses, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

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

RESOLUTION NO. 104071, recorded on Microfilm Roll No. 43, authorizing Roy E. Dodson, Jr., Sanitary Engineer, Water Department, to travel to San Francisco to attend the conference of the California Section, American Water Works Association, to be held October 24-30, 1951, and incur the necessary expenses, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Councilman Dail requested, and was granted, unanimous consent to present the next matter of Business not listed on the agenda:

Mr. Dail said that he had a claim against the City, mailed to him, which he realized had not followed proper procedure. He wanted the matter referred to the City Clerk for notification on method of proceeding in the matter, and he made a motion to that effect.

Louis Karp, Deputy City Attorney, said that Mr. Dail's motion was out of order, and advised that the City officials should not be put in the position of telling claimants how to proceed against the City.

There was some discussion on the point, individual Councilmen expressing their ideas on the subject.

Councilman Dail withdrew his motion, and said that he would handle the matter with the claimant by communication so that it will not appear in the official record.

At the hour of 9:50 o'clock A.M., the meeting was adjourned, there being no further business to be considered on the agenda continued from October 16 and 17.

ATTEST:
FRED W. SICK, City Clerk

Chester E. Schneider
Vice Mayor of The City of San Diego, California

By *August M. Hadstrom*
Deputy

Members of the Council remained in the Council Chamber for a brief Conference Session, awaiting the convening of the Regular Meeting set for the hour of 10:00 o'clock A.M.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, October 18, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:00 o'clock A.M.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of F. C. Gillett and Helma Gillett from the decision of the Zoning Committee in denying by its Resolution No. 5920 their request for variance to the provisions of

Ordinance No. 100 New Series, for permission to construct restaurant 2800 sq. ft. in area, approximately 60' x 100' outside dimensions, on Lots 25 through 30 Block 5 Stephens Addition, to be located on Pacific Highway between Glendora and Rosewood Streets, in Zone R-4, a report from the Senior Planning Technician was presented and read.

Said report stated that the petition was for a restaurant, but that the sketch plans showed a cocktail lounge in addition to the dining area, which cocktail lounge area was fully as large as the dining area. It stated, further, that the adjoining property owner indicated approval of a restaurant only but opposed a place selling liquor. The report pointed out that there are several thousand feet of vacant C zone frontage on the Highway commencing 300 or 400 feet farther north, and that no valid reason could be found for extending the commercial uses down into the residential zone.

Mr. Gillett appeared, at the invitation of the Mayor, and was heard. He said that he had not been notified of any hearing held by the Planning Commission in the matter of his application for variance. Asked if plans contain provision for a cocktail lounge, Mr. Gillett said that they do.

Mr. Sheaffer (the Chairman did not ask for initials, or spelling of the name, which may not be correct), 6345 Pacific Highway, spoke. He identified himself as a property owner nearby, and operator of a motel, and told of R-4 zone in the area. He said that there would be no residences built on Pacific Highway in the area under hearing. He told of future, as well as present, development there. The speaker said that business is being lost by motel operators on account of lack of eating facilities.

Councilman Wincote said that a restaurant and a cocktail bar are to be erected and operated on City-owned property at Santa Clara Point under the Purdy lease.

Mrs. Lee, whose initials were not obtained, spoke. She told the Council that her property is at Rosewood and Pacific, and that she is the owner of the adjoining motel. She emphasized the need for a restaurant. A cocktail lounge, she said, would not be objectionable, but that she would oppose a "night hot spot".

Mr. Gillett, asked if he intended having dancing in connection with his proposed cocktail lounge operated with the cafe, said that he did not. He said, further, that there is not a first-class eating place in San Diego that does not contain a cocktail lounge, and felt that it was necessary to the operation of a restaurant.

Glenn A. Rick, Planning Director, spoke. He pointed out the location of the property on a map, showing it as being across from City-owned Mission Bay property. He told of the new highway routing. He said that there is no need for commercial area additions. Mr. Rick said that there are restaurants operating in the nearby commercial zone. He told of developments in the area.

Mr. Sheaffer said that the eating places in the commercial zone referred to by Mr. Rick are not good, and said that patrons leave the motels quickly upon finding no first-rate eating places nearby.

Mr. Rick said that there is no advantage in adding C Zone property in the area, pointing out that there is much vacant C zone property close by now.

Mrs. Gillett and Sheaffer said that the C Zone property is not available for sale.

Mr. Rick said that no public hearing had been conducted on the zone variance request of the Gilletts, but that the matter had been considered at the Zoning Committee meeting following the filing of the petition. He said that the case was no different from many others, in which formal hearings are not held, there apparently being no need for them.

The Mayor also pointed out, as Mr. Rick had, that the procedure did not differ from other cases.

Mr. Wincote said that the request, as made by the Gilletts, is in his opinion a proper use.

Councilman Wincote moved to sustain the appeal and overrule the decision of the Zoning Committee, which motion was seconded by Councilman Dail.

Before the roll could be called on the motion, Mr. Wincote pointed out that the motion might be lost, with only 5 votes of the Council present. He said that it might be to the advantage of the appellants to hold the hearing over until a meeting at which a full Council could be present.

Mr. Rick then went into the general subject of zoning, and the Planning Commission's need for adhering in most instances to the basic zoning of a particular area.

The Mayor reviewed the Council's position in the matter of re-zoning, insofar as it also affects other property.

Mr. Rick elaborated upon the Mayor's comments.

The Mayor said that variances can tear down property values of an area. He said, further, that the zone relaxing might even work against the best interests of the petitioners, in addition to nearby properties.

Asked about the investment, Mr. Gillett said it would be in the neighborhood of \$50,000.00.

There was further discussion, much of it reiterating the various statements previously made on both sides of the issue.

The Planning Director said that if the variance is granted, other C Zone requests would possibly not go into the existing C zone use property, but attempt to locate in the same area.

Councilman Wincote withdrew his motion to sustain the appeal.

Mrs. Lee spoke again, and said that she will be a motel, which will fill the whole area, and that there will be no more land available in the area under discussion.

Mr. Rick pointed out the peculiarity of San Diego's zoning procedure which necessitates the taking out of a variance for a motel in Zone R-4. He said that if a restaurant were started under a zone variance and should fail, the property restriction would legally revert to R-4. But, he pointed out, the use thereof would probably not be that of R-4 designation. He said that City authorities would undoubtedly consider the investment which had been made in the property, and grant additional variances thereon.

RESOLUTION NO. 104072, recorded on Microfilm Roll No. 43, sustaining the appeal of F. C. Gillett and Helma Gillett from the decision of the Zoning Committee in denying by its Resolution No. 5920, their request for variance to the provisions of Ordinance No. 100 (New Series), to permit construction of a restaurant 2800 square feet in area, being approximately 60' x 100' outside dimensions on Lots 25 through 30 Block 5 Stephens Addition, on Pacific Highway between Glendora and Rosewood, in Zone R-4, and overruling said decision; authorizing construction and operation of a restaurant and

cocktail lounge - the cocktail lounge to be restricted in area to 1/3 or less of the dining room area, and no cabaret or "dine & dance" to be permitted - was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

At this time Mayor Butler recognized a group of students from the San Diego State College Municipal and County Government class. He welcomed them to the meeting, and made a brief explanation of the Council's procedure, after inviting them to avail themselves of copies of the agenda.

Petition of G. B. Ramstead, 5049 Foothill Boulevard, for sale by the City of portion of Tract B of Rancho El Cajon, with which \$65.00 deposit has been made, was presented.

On motion of Councilman Swan, seconded by Councilman Dail, said petition was referred to the City Manager.

Petition of San Diego USO Advisory Council, signed by George A. Scott, general chairman, requesting permission to install an illuminated bulletin board in Horton Plaza, for the purpose of carrying a weekly calendar of activities, for the benefit of service personnel, was presented.

RESOLUTION NO. 104073, recorded on Microfilm Roll No. 43, referring communication from San Diego USO Advisory Council for permission to install an illuminated bulletin board in the Plaza to Council Conference, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Petition of residents in the 4400 block on Noyes Avenue, Pacific Beach, for construction of curbing only on the west, curbing and sidewalk on the east side, and explaining reasons for the request, was presented.

On motion of Councilman Dail, seconded by Councilman Godfrey, said petition was referred to the City Manager.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of storm drain at Lindbergh Field, recommending award to Walter H. Barber, the low bidder of 5 bidders, was presented.

RESOLUTION NO. 104074, recorded on Microfilm Roll No. 43, accepting bid of Walter H. Barber for construction of a storm drain at Lindbergh Field, awarding contract and authorizing a majority of the members of the Harbor Commission to execute contract, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the City Manager reporting on communication from Mrs. Ernest F. Vondreden, 4792 Arizona Street, relative to denial of claim for damage resulting tree roots in sewer line, expressing regret in copy of reply attached, was presented.

On motion of Councilman Dail, seconded by Councilman Godfrey, the City Manager's communication was ordered filed, together with the accompanying papers.

Councilman Dail was excused from the meeting at this time. (He did not return).

Communication from the City Manager giving detailed report on petition for modification of offer to dedicate a street in Pueblo Lot 104 between Catalina Boulevard and Silvergate Avenue, together with copy of his reply, was presented.

The reply set out the City's position that the dedication be accepted subject to installation of main and improvement of the street in accordance with requirements of the City Engineer.

The Assistant to the City Manager gave a brief verbal explanation.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the City Manager's communication was ordered filed, together with the accompanying papers.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Lone Pine, was presented.

RESOLUTION NO. 104075, recorded on Microfilm Roll No. 43, accepting and adopting Map of Lone Pine, being subdivision of portion of Pueblo Lot 1261, accepting portion of Genter Street and unnamed easements shown thereon for public purposes, declaring the same to be a public street and easements dedicated to the public use, authorizing and directing the City Clerk to endorse as and for the act of the Council that said street and easements are accepted on behalf of the public, and directing him to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Lew Fay, Asst. Personnel Director (Acting), reporting upon his attendance at the International Conference on Public Personnel Administration, was presented. Said report stated that a fuller one will follow.

On motion of Councilman Godfrey, seconded by Councilman Swan, said communication was ordered filed.

Communication from the State Highway Engineer relative to statement made by the City of El Monte in connection with location of Ramona Freeway and method of construction, and attaching copy of his reply on the subject, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, said communication was ordered filed.

RESOLUTION NO. 104076, recorded on Microfilm Roll No. 43, approving request of Al. E. Riley, dated October 4, 1951, for extension of time to and including October 11, 1951, heretofore filed with the City Clerk as Document No. 439823, in which to complete contract for construction of retaining wall on 6th Street (should be avenue) Hawthorn Street to Ivy Street, contract contained in Document No. 433648, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104077, recorded on Microfilm Roll No. 43, approving request of Walter H. Barber, contained in Change Order No. 1 dated September 26, 1951, for extension of time of 60 days to and including December 9, 1951; heretofore filed with the City Clerk as Document No. 439754, to complete contract for 54" outfall sewer, contract contained in Document No. 434680 on file in the office of the City Clerk, completion time extended to December 9, 1951, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104078, recorded on Microfilm Roll No. 43, approving change and extra work order No. 2 dated September 28, 1951, heretofore filed with the City Clerk as Document No. 439756, issued in connection with contract of H. W. Grizzle for construction of utility building, Balboa Park, contract contained in Document No. 434678 on file in the office of the City Clerk, amounting to increase in contract price of \$44.85, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104079, recorded on Microfilm Roll No. 43, waiving provisions of specifications on Daley Corporation contract, regarding liquidated damages in connection with grading the parking lot adjacent to U. S. Naval Hospital in Balboa Park, upon which work was completed last June but on which completion notice had not been filed until later, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104080, recorded on Microfilm Roll No. 43, granting permission to Johnson, Hatch & Wulff, architects, 1400 San Diego Trust and Savings Building, San Diego 1, to remove 8 feet of curb on the north side of Ash Street approximately between points 100 and 108 feet east of the east line of Fifth Avenue, and install driveway 8 feet wider than the existing driveway, to provide access to off-street loading area at rear of KFMB Building being remodeled, subject to all rules, regulations and ordinances of The City, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104081, recorded on Microfilm Roll No. 43, granting permission to Andrew T. LaPointe, Jr., 935 Tourmaline Street, to install a 4" cast iron sewer line between the property line and sidewalk, to be placed one foot outside the property line and run in a southerly direction parallel to the easterly line of Lot 20 Block 307 Pacific Beach Subdivision, to point of intersection with public sewer, to serve property at 1977 Oliver Avenue, subject to approval of Health Department and City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104082, recorded on Microfilm Roll No. 43, accepting deed of John W. Wallace and Betty F. Wallace, bearing date September 25, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 45 Block 137 City Heights, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104083, recorded on Microfilm Roll No. 43, accepting deed of Roby C. Day, bearing date October 8, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 24 Block 36 H. P. Whitney's Addition, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104084, recorded on Microfilm Roll No. 43, accepting deed of George C. Gregory, bearing date October 6, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 4 Block 102 City Heights, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104085, recorded on Microfilm Roll No. 43, accepting deed of Henry H. Anglin and Ruby M. Anglin, bearing date October 9, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 25, 26 and 27 Block 137 City Heights, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104086, recorded on Microfilm Roll No. 43, accepting deed of Lester Loeser and Margit Loeser, bearing date October 2, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 6 and 7 Block 180 Mannasse & Schiller Subdivision, and a portion of Lot 10 Block 70 Sherman's Addition, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104087, recorded on Microfilm Roll No. 43, accepting deed of John P. Hart and Norma Louise Hart, bearing date September 27, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 19 Block 44 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104088, recorded on Microfilm Roll No. 43, accepting deed of Richard J. Wood and Carol E. Wood, bearing date September 26, 1951, conveying an easement and right of way for storm drain purposes in portion of Villa Lot 21 Mission Hills, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104089, recorded on Microfilm Roll No. 43, accepting deed of Roger T. Pelton and Jennie Jewell Pelton, bearing date October 5, 1951, conveying a portion of Lot 1 Block 3 Amalfi, and a portion of Princess Street as vacated, setting aside and dedicating the same to the public use as and for a public street, and naming the same Torrey Pines Road, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104090, recorded on Microfilm Roll No. 43, accepting deed of Marion W. William, bearing date October 2, 1951, conveying portions of Pueblo Lots 1286 and 1287 as and for a public street, and naming the same Torrey Pines Road, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104091, recorded on Microfilm Roll No. 43, accepting deed of Joseph S. Wright and Mabel M. Wright, bearing date September 28, 1951, conveying portion of Lots 1 and 2 Block 1 Amalfi, and a portion of Coast Boulevard as vacated to public use, setting aside and dedicating the same to the public use as and for a public street, and naming the same Torrey Pines Road, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104092, recorded on Microfilm Roll No. 43, accepting deed of Juan Buso and Teresa Buso, bearing date September 18, 1951, conveying portion of Lots 3 and 4 Block 381 Old San Diego, setting aside and dedicating the same as and for a public street, and naming the same Morena Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104093, recorded on Microfilm Roll No. 43, accepting deed of Carmen Buso, bearing date September 19, 1951, conveying portion of Lot 4 Block 381 Old San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104094, recorded on Microfilm Roll No. 43, accepting deed of The Bank of California, National Association, bearing date September 17, 1951, conveying an easement and right of way for street purposes in portion of Pueblo Lot 183, setting aside and dedicating the same to the public use as and portion of public streets, and naming the same Jennings Street and Albion Street, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104095, recorded on Microfilm Roll No. 43, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, bearing date August 22, 1951, conveying Lot 5 Block 2 Campo Del Dios Unit No. 1, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104096, recorded on Microfilm Roll No. 43, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, bearing date August 22, 1951, conveying Lots 5 and 6 Block 56 Campo Del Dios Unit No. 3, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104097, recorded on Microfilm Roll No. 43, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, bearing date August 22, 1951, conveying Lot 4 Block 83 Campo Del Dios Unit No. 3, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104098, recorded on Microfilm Roll No. 43, accepting deed of S. H. Simmons and Grace Simmons, bearing date October 8, 1951, conveying Lot 4 Block 48 Campo Del Dios Unit No. 3, and Lot 4 Block 89 Campo Del Dios Unit No. 4, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104099, recorded on Microfilm Roll No. 43, accepting deed of William R. Tinker and Betty K. Tinker, bearing date September 13, 1951, conveying an easement and right of way for public use through, along and across a portion of Lot 176 Collwood Park Unit No. 2, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104100, recorded on Microfilm Roll No. 43, accepting deed of San Diego Heights Company, bearing date August 14, 1951, conveying portion of Lot 43 of The Highlands, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104101, recorded on Microfilm Roll No. 43, accepting deed of Coy A. Shocklee and Elna C. Shocklee, bearing date August 13, 1951, quitclaiming portion of Lot 43 of The Highlands, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104102, recorded on Microfilm Roll No. 43, accepting Relinquishment of Access Rights, executed by Fred J. Cicone, bearing date September 29, 1951, releasing and relinquishing to The City of San Diego any and all abutter's rights of access in and to a portion of Lot 32 Lemon Villa, authorizing and directing the City Clerk to file said Relinquishment of Access Rights of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104103, recorded on Microfilm Roll No. 43, authorizing San Diego Chamber of Commerce to erect a small reviewing stand in Horton Plaza for four hours on Saturday, October 20, for use in connection with Homecoming Day parade of the San Diego State College, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

At this time a majority of the members of the Council executed undertakings with San Diego Gas & Electric Company for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Lighting District No. 1, and in Midway Lighting District No. 1.

The following items were listed on the agenda, for information of the Council, which matters had been referred by the City Clerk to the City Manager:

Communication from Mrs. Florence Custeau protesting appearance of old street cars in Lexington Park area;
 Communication from C. W. Lindstrom complaining about bus service;
 Petition of C. O. Woodland for permission to remove tree from in front of store building at 4856 Voltaire Street.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Wincote, at the hour of 11:00 o'clock A.M.

Chester E. Schneider
 Vice Mayor of The City of San Diego, California

ATTEST:
 FRED W. SICK, City Clerk

By *August M. Hadad*
 Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, October 23, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:05 o'clock A.M.

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

In the absence of the Mayor from the City, in connection with the visit to Japan by Pacific Coast Mayors, Vice Mayor Schneider acted as Chairman.

At this time the Vice Mayor recognized a group of students visiting the meeting from the Pacific Beach Junior High School, accompanied by Miss McIntyre, Dean of Girls; also students from Point Loma High School. He welcomed them and asked them to arise.

The Vice Mayor awarded service emblems to the following City employees:

Herman C. Sisney, Caretaker for the Recreation Division, who started with the City in February, 1926; continuous service since 1927 - 25 year pin;
Lloyd W. Ham, Building Inspector in the Inspection Office, first employed by the City on March 16, 1925 - 25 year pin;
Albert H. Benson, Carpenter Foreman, Division of Streets, Public Works Dept., first employed in January, 1923; continuous service since 1927 - 25 year pin;
Miss Molly Levenson, Sr. Clerk at the Public Library, since October, 1926 - 25 year pin;
Mrs. Agnes Talbot, Senior Recreation Leader stationed at the La Jolla Playground, commencing September, 1921 - 30 year pin;
Miss Helen Dysart, Supervising Librarian at the Public Library in charge of the Circulation Department - 35 year pin;
Henry J. Holland, Superintendent of Police Shops of the Police Department, commenced work on September 28, 1916 - 35 year pin.

The Minutes of the Adjourned Meeting of Thursday, October 18, 1951, and of the Regular Meeting of the same date, were presented to the Council by the Clerk.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said Minutes were approved without reading, after which they were signed by the Vice Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Jewell Street, within the limits and as particularly described in Resolution of Intention No. 103361, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of one thousand three hundred dollars, which bid was given Document No. 439985;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of one thousand five hundred dollars, which bid was given Document No. 439986;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of sixteen hundred dollars, which bid was given Document No. 439987;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of fifteen hundred dollars, which bid was given Document No. 439988;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of fifteen hundred dollars, which bid was given Document No. 439989.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Gamma Street, 42nd Street and Beta Street, within the limits and as particularly described in Resolution of

Intention No. 103448, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of five thousand five hundred dollars, which bid was given Document No. 439990;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of five thousand five hundred dollars, which bid was given Document No. 439991;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of six thousand dollars, which bid was given Document No. 439992;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of five thousand five hundred dollars, which bid was given Document No. 439993;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of six thousand dollars, which bid was given Document No. 439994.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of San Juan Place, the Alleys in Blocks 155, 159 and 160 Mission Beach, and Bayside Lane, within the limits and as particularly described in Resolution of Intention No. 103449, the Clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of one thousand five hundred dollars, which bid was given Document No. 439995;

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of one thousand one hundred dollars, which bid was given Document No. 439996;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of one thousand dollars, which bid was given Document No. 439997;

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in College Park Lighting District No. 1, for a period of one year from and including June 1, 1951, to and including May 31, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$84.12 written by San Diego Trust and Savings Bank, which bid was given Document No. 439971.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Dail, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the resurfacing of Frontier Street & Rosecrans Street to West Point Loma; Linda Vista Road 100' N. of Levant to the N. City Limits near Arco Drive; University Ave. from W. L. of Euclid to approx. 60' E. of 60th St.; 30th St. from N. line of A to S. line of Imperial, 32nd from N. line Market to S. line Imperial, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of five thousand three hundred dollars, which bid was given Document No. 439998;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of five thousand five hundred dollars, which bid was given Document No. 439999;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis construction Co., accompanied by bond written by American Surety Company in the sum of 10% of the aggregate of the sum of the bid, which bid was given Document No. 440000;

The bid of R. E. Hazard Contracting Company, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 440001;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of eight thousand dollars, which bid was given Document No. 440002.

The City Manager was asked for the estimated cost of the project, for comparison with the bids, but he did not have the information.

Asked if awards could be made on the individual streets, the City Manager replied that the best bid could be accepted on separate streets and that the award need not be made in a lump sum. He told the Council, also, that it is a new policy to let contractors come in on large resurfacing projects.

On motion of Councilman Kerrigan, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of the Alley in Block 83 Point Loma Heights, within the limits and as particularly described in Resolution No. 103706 of Preliminary Determination, the Clerk reported that written protests from B. C. Waker and others bearing 14 signatures, and from Kenneth E. Gustafson who also signed the other protest had been received, which protests were presented and read.

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

No one appeared to be heard, verbally, and no written protests were added to the file.

RESOLUTION NO. 104104, recorded on Microfilm Roll No. 44, sustaining the protests received against the paving and otherwise improving of the Alley in Block 83 Point Loma Heights, within the limits and as particularly described in Resolution of Preliminary Determination No. 103706, and abandoning proceedings heretofore taken for said proposed improvement, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of the Alley in Block 3 Wilshire Place, and Meade Avenue, within the limits and as particularly described in Resolution No. 103707 of Preliminary Determination, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 104105, recorded on Microfilm Roll No. 44, determining the proposed improvement of the Alley in Block 3 Wilshire Place, and Meade Avenue, within the limits and as particularly described in Resolution No. 103707 of Preliminary Determination to be feasible and that the lands to be assessed therefor will be able to carry the burden of proposed assessment, and finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving the Alley in Block 20 City Heights, within the limits and as particularly described in Resolution No. 103788 of Preliminary Determination, the Clerk reported that a written protest bearing the signatures of 11 property owners had been received, which protest was presented to the Council and read.

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

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

The Acting City Engineer reported a protest of 30.5%.

Asked for a detailed report on the signatures to the protests, as to whether or not any signed the original petition, the Acting Engineer stated that it had arrived just before the hearing and that he had not had an opportunity to study it.

RESOLUTION NO. 104106, recorded on Microfilm Roll No. 44, continuing the hearing on the improvement of the Alley in Block 20 City Heights, within the limits and as particularly described in Resolution of Preliminary Determination No. 103788 until the hour of 10:00 o'clock A.M. of Tuesday, October 30, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of the Alley in Block 1 Ocean Beach, and Ebers Street, within the limits and as particularly described in Resolution No. 103789 adopted September 25, 1951, the Clerk reported that a written protest had been received, bearing 6 signatures, which protest was presented and read.

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

Mrs. Don Daniels was heard in verbal protest.

The Acting City Engineer reported, verbally, that there was a 15.6% written protest, bearing one name which had appeared on the original petition. No further written protests were filed.

RESOLUTION NO. 104107, recorded on Microfilm Roll No. 44, overruling and denying the written protest of Claudia R. Garton and others and the verbal protest of Mrs. Don Daniels against the proposed improvement of the Alley in Block 41 Ocean Beach, and Ebers Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 103789, and overruling and denying all other protests, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104108, recorded on Microfilm Roll No. 44, determining that the proposed improvement of the Alley in Block 41 Ocean Beach, and Ebers Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 103789 is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of Palermo Drive and Alcott Street, within the limits and as particularly described in Resolution No. 103790 of Preliminary Determination, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 104109, recorded on Microfilm Roll No. 44, determining that the proposed improvement of Palermo Drive and Alcott Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 103790 is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental Street Lights located in San Diego Lighting District No. 4, for a period of one year from and including August 1, 1951, to and including July 31, 1952, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 104110, recorded on Microfilm Roll No. 44, confirming the Engineer's Report and Assessment for San Diego Lighting District No. 4, filed in the office of the City Clerk September 7, 1951, and adopting the same as a whole, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2034, made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 187 City Heights, within the limits and as particularly described in Resolution of Intention No. 98623, the Clerk reported that no written appeals had been received.

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

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

RESOLUTION NO. 104111, recorded on Microfilm Roll No. 44, confirming and approving the Street Superintendent's Assessment No. 2034 for the paving and otherwise improving of the Alley in Block 187 City Heights, within the limits and as particularly described in Resolution of Intention No. 98623, directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and directing him to file in his office said warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating district including Lot 11 Lemon Villa into an "R-2" Zone, the Clerk reported that no written protests had been received.

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

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

ORDINANCE NO. 4955 (New Series), recorded on Microfilm Roll No. 44, incorporating district including Lot 11 Lemon Villa into an "R-2" Zone as defined by Ordinance No. 8924 of the ordinances and amendments thereto, repealing Ordinance No. 13559 adopted July 11, 1932, insofar as the same conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating various portions of Roseville into an "R-2" zone, the Clerk reported that no written protests had been received.

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

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

ORDINANCE NO. 4956 (New Series), recorded on Microfilm Roll No. 44, incorporating district including Lots 7 to 12 inclusive, Block 212; Lots 1, 2, and 7 to 12 inclusive, Block 213; all of Block 228; Lots 1 to 8 inclusive, Block 229 - all in Roseville - into an "R-2" Zone as defined by Ordinance No. 8924 and amendments thereto; repealing Ordinance No. 31 (New Series) adopted September 6, 1932, insofar as the same conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen None; Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Petition of William W. Miller, 1230 Camino del Rio, San Diego 10, for permission to use shotgun on his farm in Mission Valley to protect crops from birds and rabbits, was presented.

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

Claim of Arnold J. Fernandes, 3434 - 55th Street, in the sum of \$5.50, for towing charges against his car which had been impounded by the California Garage for parking near Pacific Highway and Broadway, was presented.

RESOLUTION NO. 104112, recorded on Microfilm Roll No. 44, referring claim of Arnold J. Fernandes to the City Manager for recommendation and report, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

18th

Claim of Nettie Lobdell, 1319/Street, Apartment "D", San Diego, in the sum of \$663.16, for personal injuries sustained at a curb between sidewalk and parking lot at approximately 25 feet in a northerly from "Fisherman's Wharf Cafe", 2845 Garrison, San Diego, was presented.

RESOLUTION NO. 104113, recorded on Microfilm Roll No. 44, referring claim of Nettie Lobdell to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for improvement of portions of Fairmount Avenue southerly of Home Avenue, recommending award to Griffith Company, the low bidder - 4 bids received - was presented.

RESOLUTION NO. 104114, recorded on Microfilm Roll No. 44, accepting bid of Griffith Company for improvement of portions of Fairmount Avenue (a distance of approximately 1100 feet extending southerly from a point approximately 600 feet southerly of Home Avenue), awarding contract and directing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for cleaning and cement mortar lining 30th Street 16" cast iron pipe line from Polk Avenue to Suncrest Drive, recommending award to Pipe Linings, Inc., subsidiary of American Pipe Construction Company, sole bidder, was presented.

RESOLUTION NO. 104115, recorded on Microfilm Roll No. 44, accepting bid of Pipe Linings, Inc., for cleaning and cement mortar lining 30th Street 16" cast iron pipe line from Polk Avenue to Suncrest Drive, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 200 Red Wool Sweaters for the Police Department, Junior Traffic Patrol, recommending award to Jones Knitting Mills, Los Angeles, sole bidder, was presented.

RESOLUTION NO. 104116, recorded on Microfilm Roll No. 44, accepting bid of Jones Knitting Mills for the furnishing of 200 red wool sweaters, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, recommending that he be authorized to purchase and order installation of 174 Boulevard Stop Signs from the Automobile Club of Southern California at the price of \$8.60 per sign, was presented.

RESOLUTION NO. 104117, recorded on Microfilm Roll No. 44, authorizing and directing the Purchasing Agent to have furnished, installed and maintained 174 boulevard stop signs at various locations throughout the City as requested by the Public Works Department, in the open market without advertising for bids, by the Automobile Club of Southern California, at a price not to exceed \$8.60 per sign, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Said Resolution states that said Club will install and maintain such signs for the price stated, including furnishing posts and hardware, and furnish maintenance by cleaning signs and painting posts at regular intervals. Also, the Resolution cites that no other organization is equipped to render such service or furnish the signs at said price, and that it is to the best interests of the City to authorize such action without advertising for bids.

RESOLUTION NO. 104118, recorded on Microfilm Roll No. 44, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of Hilltop Drive 12" asbestos cement pipe line from 43rd Street to 46th and 8" asbestos cement pipe line from Euclid Avenue to Roswell Street, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104119, recorded on Microfilm Roll No. 44, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for reconstruction of the University Heights Pumping Plant, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104120, recorded on Microfilm Roll No. 44, authorizing and directing the Purchasing Agent to advertise for sale and sell 120 tons of scrap cast iron, more or less, in place on Wightman Street, all expenses in connection therewith to be deducted from the proceeds received from the sale, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has given notice in writing to the Purchasing Agent that scrap cast iron, being a 10" water main on Wightman Street is no longer desirable for use or retention by the City.

Communication from the City Manager recommending installation of 13 overhead street lights, was presented.

RESOLUTION NO. 104121, recorded on Microfilm Roll No. 44, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Felton Street, at Upas Street;
44th Street, at Meade Avenue;
Champion Street, at Grape Street;
Sultana Street, at Grape Street;
55th Street, at Grape Street;
Tokay Street, at Carmen Street and at Peru Place;
Muscat Street, at Fredonia Street;
Balsa Street, at Maple Street and at Nutmeg Street;
Nutmeg Street, at Maple Street;
Nutmeg Street, between Balsa Street and Maple Street; and
Maple Street, between Balsa Street and Nutmeg Street;

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

Communication from the City Manager reporting on communication from Mrs. Lena Kendall suggesting realignment of portion of Crown Point Drive, and submitting copy of his reply, was presented.

On motion of Councilman Wincote, seconded by Councilman Dail, the matter was ordered filed.

Communication from the Acting City Engineer, bearing the City Manager's stamp of approval, recommending amendment to proceedings heretofore started on Agate Street, Dawes Street, and Van Nuys Street, by addition of improvements to Archer Street and in Van Nuys Street, was presented.

RESOLUTION NO. 104122, recorded on Microfilm Roll No. 44, accepting and adopting recommendation of the City Engineer filed in the office of the City Clerk under Document No. 439824 for amending proceedings for improvement of Archer Street, Agate Street, Dawes Street and Van Nuys Street, in accordance with said recommendation, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Acting City Engineer, bearing the City Manager's stamp of approval, recommending that change of grade proceedings be started on portions of Plum Street and Hugo Street, was presented.

RESOLUTION NO. 104123, recorded on Microfilm Roll No. 44, directing the City Engineer to furnish a description or a map for change of grade on portions of Plum Street and Hugo Street, in accordance with his recommendation filed in the office of the City Clerk under Document No. 439825, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Vista Valencia, subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 104124, recorded on Microfilm Roll No. 44, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Lowell A. DeWeese and Bernadine A. DeWeese, husband and wife, for installation and completion of the unfinished improvements and the setting of the monuments required for Vista Valencia, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104125, recorded on Microfilm Roll No. 44, adopting Map of Vista Valencia, being subdivision of all of Lot 61 Las Alturas Villa Sites, and portion of Olvera Avenue adjoining said Lot 61, accepting on behalf of the public Gwen Street, Logan Avenue, Encina Drive, portion of Olvera Avenue and unnamed easements therein, rejecting dedication for a public street of the land shown thereon as "Reserved for Future Street Use"; authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council that said streets, portion of street and easements are accepted on behalf of the public, and directing him to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Planning Director, stating that at a recent meeting of the Planning Commission a suggestion was made that an amendment be made to Ordinance No. 1025 to clarify a situation relative to the minimum size of lots which shall be 50 feet in width and contain not less than 5,000 square feet of area, was presented. The communication recommended that Section 3(J), items 3 and 4 be amended to add the following wording: "except in such areas in the City where the Zone Ordinance provides for larger lot sizes", to relieve a certain amount of uncertainty in subdividing in Zones R-1A, R-1B and R-1C.

RESOLUTION NO. 104126, recorded on Microfilm Roll No. 44, requesting the City Attorney to prepare and present an Ordinance to amend the Subdivision Ordinance No. 1025 New Series on minimum lot sizes, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Assemblyman Frank Luckel requesting that the Council pass a Resolution requesting Governor Warren to call a special session of the Legislature to repeal the "Joint Tenancy Law" passed by the 1951 Legislature, AB 3378 and AB 1160, was presented.

Accompanying the Assemblyman's communication was a copy of Resolution from the City of Los Angeles on the same subject.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said matter was referred to the City Manager for report.

Communication from Delores J. Greutman, 3633 Ocean Front, San Diego 8, and communication from Miss Carol Reid, 3528-1/2 - 5th Avenue, San Diego, relative to bus service and to the fares charged, were presented.

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

Communication from the Pacific Indemnity Company, dated October 18, 1951, signed by J. M. MacConnell, advising that the case of the claim of John J. Oren, in the sum of \$1,950.00, had been closed by payment of \$150.00, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, said matter was ordered filed.

RESOLUTION NO. 104127, recorded on Microfilm Roll No. 44, directing notice of filing of the Street Superintendent's Assessment No. 2039 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Waverly Avenue and Colima Street, within the limits and as particularly described in Resolution of Intention No. 101200, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104128, recorded on Microfilm Roll No. 44, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 3, for a period of

one year from and including July 16, 1951, to and including July 15, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104129, recorded on Microfilm Roll No. 44, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current and maintenance of appliances in Mission Beach Lighting District No. 2, for a period of one year from and including August 17, 1951, to and including August 16, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104130, recorded on Microfilm Roll No. 44, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Ocean Beach Lighting District No. 1, for a period of one year from and including August 14, 1951, to and including August 13, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104131, recorded on Microfilm Roll No. 44, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Beach Lighting District No. 1, for a period of one year from and including September 1, 1951, to and including August 31, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104132, recorded on Microfilm Roll No. 44, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alleys in Block 1 Ocean View, and Block 1 Sunset Grove, and Brighton Avenue, within the limits and as particularly described in Resolution of Intention No. 102544, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104133, recorded on Microfilm Roll No. 44, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on paving and otherwise improving of the Alley in Block 153 University Heights, within the limits and as particularly described in Resolution of Intention No. 102727, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104134, recorded on Microfilm Roll No. 44, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of 59th Street and Kenwood Street, within the limits and as particularly described in Resolution of Intention No. 102545, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104135, recorded on Microfilm Roll No. 44, authorizing and directing the City Manager, for and on behalf of the City of San Diego, to make application to the Board of Supervisors of the County of San Diego, and to take all necessary steps to acquire from the State of California land in Western Addition, more particularly set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104136, recorded on Microfilm Roll No. 44, authorizing and ratifying agreement for compromise of action entitled "Semarad et al., plaintiffs, vs. Conley, The City of San Diego, a municipal corporation, et al," No. 160732, seeking to quiet title to real property located in the City, upon which the City of San Diego holds Certificates Nos. 6368, 6597, 6735, 6863, 6948, 7007 and 7159, growing out of sale of lighting assessments for Five Points Lighting District No. 1, said certificates being a lien on Lot 4 Block 187 Middletown; authorizing and directing the City Treasurer to accept the total sum of \$140.86 in full satisfaction for cancellation thereof, apportioning to each certificate the amount in said Resolution deemed necessary therefor; authorizing and directing the City Attorney and City Treasurer to perform any and all acts necessary to effectuate said compromise of suit and cancellation of the certificates, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104137, recorded on Microfilm Roll No. 44, accepting bid of Lloyd T. Penick for purchase of portions of Lots 6, 7 and 8 Block 2 of Broderick and West Addition, more particularly set forth in said Resolution, declaring him to be the highest responsible and reliable bidder, at the price bid at public auction sale held October 17, 1951; authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of the City a quitclaim deed quitclaiming the same to Lloyd T. Penick and Mildred M. Penick,

husband and wife, as joint tenants, therefor; authorizing and directing the Property Supervisor to place the said deed in escrow with directions that the same be delivered to the successful bidder when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Manager recommending, with the Park Commission and the Traffic Engineer concurring, that there be no parking at any time on either side of Date Street Road between Cabrillo Freeway and Park Boulevard, on Cobblestone Drive for its entire length, and on Tenth Avenue Road for its entire length - being narrow park roads which become congested during big events at the Stadium - was presented.

RESOLUTION NO. 104138, recorded on Microfilm Roll No. 44, prohibiting the parking of automobiles at all times on:

Both sides of Date Street Road between Cabrillo Freeway and Park Boulevard;

Cobblestone Drive, for its entire length;

Tenth Avenue Road, for its entire length, in Balboa Park, in the vicinity of the Stadium;

authorizing and directing the installation of the necessary signs and markings to be made on said streets, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Manager recommending that there be no parking between 7 A.M. and 9 A.M., Sundays Excepted on the east side of Sixth Avenue between Date and Fir Streets, on the north side of Date Street between Seventh and Eighth Avenues, and on the westerly side of Balboa Drive between Date Street and a point 300 feet northerly from Tenth Avenue Road, was presented.

The purpose of such restriction was to be for prohibition of all-day parkers in the vicinity of the Balboa Shuffleboard Club and lawns in the southwest corner of Balboa Park.

Councilman Kerrigan moved to adopt the proposed Resolution accompanying the recommendation, with the exception of the section on 6th Avenue. It was pointed out, however, by other members of the Council, that it had been agreed to refer the entire matter to Conference.

RESOLUTION NO. 104139, recorded on Microfilm Roll No. 44, referring to Council Conference the proposed Resolution prohibiting parking of automobiles between 7 and 9 A.M. Sundays excepted, on portions of Sixth Avenue, Date Street and Balboa Drive, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104140, recorded on Microfilm Roll No. 44, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego, the City's consent to lease for portion of the recreational area known as Dana Basin, more particularly described in Document No. 396041, also lease of portion of Mission Bay Recreational Area of portion of Model Yacht Clubhouse, more particularly described in lease in the Office of the City Clerk under Document No. 407045 (formerly William G. Litton and Andrew Rock; new lessees William G. Litton, Andrew Rock), was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted. and George E. Leonard

RESOLUTION NO. 104141, recorded on Microfilm Roll No. 44, ratifying operation of the restaurant and snack bar on Santa Clara Point by the lessees, Benjamin L. Hansen, Dean H. Hansen and Algie Hopfe from the 15th of July, 1951, to the 31st day of July, 1951, rental to be the same as set forth under lease which became effective August 1, 1951; authorizing lessees to pay to the City the rental due for the period from July 15, 1951, to July 31, 1951, under the same terms and conditions as the lease authorized by Resolution No. 103331 which became effective August 1, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager was authorized to enter into and execute a lease thereon with Benjamin L. Hansen, Dean H. Hansen and Algie Hopfe for operation effective August 1, 1951, that they with the consent of the previous tenant took over and continued operation commencing July 15, 1951.

RESOLUTION NO. 104142, recorded on Microfilm Roll No. 44, authorizing and directing the City Manager to enter into contract with Theodore A. Godshalk, Fred C. Rapp, and H. G. Bell, Jr., wherein they will agree to contribute to the cost of construction of public sewer improvement on 56th Street from Trojan Avenue to Meade Avenue, with the understanding that the City pay a portion thereof (cost of improvement not to exceed \$1,987.00 with \$1200.00 paid by said property owners), was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104143, recorded on Microfilm Roll No. 44, confirming and ratifying variances between the contract authorized by Resolution No. 103906 for servicing of radio equipment of the City of Coronado and contract executed by the City of Coronado, consisting of substituting October 1, 1951, for September 1, 1951, as the beginning date and substituting December 31, 1951 for June 30, 1952 as the ending date of said contract, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104144, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to do all the work in connection with replacement of railing on the breakwater at the pool situated in La Jolla (in the Pacific Ocean) opposite Casa de Manana, which was given to the City by Ellen Browning Scripps, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Said Resolution states that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 104145, recorded on Microfilm Roll No. 44, granting permission to Glen H. Munkelt, 1004 San Diego Trust & Savings Building, San Diego, to remove 25 feet of curb on the southerly side of Ingelow Street, approximately between points 100 and 125 feet west of the west line of Willow Street, and install a 25-foot driveway to provide access to off-street parking area, adjacent to Lot 9 Block 71 Roseville, in accordance with all rules, regulations and ordinances of The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104146, recorded on Microfilm Roll No. 44, approving bill of San Diego City and County Convention Bureau, bearing date October 15, 1951, in the sum of \$928.31 for expenses incurred, as approved by the Advertising Control Committee, authorizing requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1951-52 for said sum, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

ORDINANCE NO. 4957 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$2,750.00 from the Capital Outlay Fund to cover the cost of purchasing equipment and construction and installation of sewage sludge pelletizing system at the Sewage Treatment Plant, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilman Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4958 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$800.00 from the Capital Outlay Fund for the purpose of providing funds to pay the City's share of the cost of constructing a public sewer in 56th Street, from Trojan Avenue to Meade Avenue, authorizing and directing the City Auditor and Comptroller to draw a warrant in favor of the contractor for said amount of money upon filing of a claim for contribution with said Auditor and Comptroller for the amount to be contributed, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

A proposed Ordinance adopting an amendment to the "Master Plan for The City of San Diego" as adopted by Ordinance No. 13116 approved January 26, 1951, particularly affecting additions to and deletions from the Major Street and Highway Plan in the vicinity of Balboa Avenue and Pacific Highway, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, a hearing on said proposed Ordinance was set for the hour of 10:00 o'clock A.M., on Tuesday, November 6, 1951.

The City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

RESOLUTION NO. 104147, recorded on Microfilm Roll No. 44, authorizing James E. Reading, Traffic Engineer, to attend the 1951 California Governor's Traffic Safety Conference, to be held in Sacramento, California, Thursday and Friday, October 25 and 26, 1951, for the purpose of participating in a panel discussion on the subject of teamwork between various agencies working toward traffic safety, authorizing the incurring of all expenses necessary in connection therewith, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the Council took a recess, at the hour of 10:50 o'clock A.M., to the hour of 2:00 o'clock P.M., this date.

The Vice Mayor announced that the Council members would go into Conference immediately.

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

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

The hour of 2:00 o'clock P.M. having arrived, the time set for hearing in the matter of fluoridation of water, the Vice Mayor announced the purpose of the hearing.

The Vice Mayor asked if the opposition had a spokesman, to which E. L. Flood replied that he would be heard for the group opposing the fluoridation.

The Vice Mayor announced that the City Manager would make a presentation in behalf of the City. He said that if there were no objections, he would limit the presentation of the subject to 30 minutes on each side.

The City Manager spoke, and told of the background on the proposal. He said that the Health Board had recommended such action, that meetings had also been held with the Dental Society, and City officials. He said that the City has the legal authority to add the fluorine to the water. He said basic factual background has been established. He said action had been delayed to permit facts to be presented, and said that data is available to any interested parties.

The Vice Mayor said that the first 20 minutes would be allotted to the proponents, 30 minutes to opponents, with 10 minutes of rebuttal by the proponents.

Dr. Askew, City and County Health Officer, spoke regarding the Health Board's recommendation for fluoridation, and said that views are the same by most public health authorities. He listed them, including many health agencies. He told of dental disease, and said that it has not been conquered and little is being done to prevent it. Dr. Askew told of studies which have been made where natural flourides exist in water. He said that the Health Board had asked for such studies and reports, which studies have been made and reports given. He said that Dr. Worthhamer had spoken to the Board of Health on results obtained in Grand Rapids where flourides have been added. He said that there have been marked improvements as a result. Dr. Askew emphasized that endorsements have been received from local and dental associations, the State Health Board, the P.T.A., Chamber of Commerce, Tuberculosis Association, Coordinating Councils, and the American Federation of Labor.

Dr. Askew introduced Dr. Samuel J. McClendon, chairman of the local Board of Health and member of the State Board.

Dr. McClendon spoke in favor of fluoridation, and called it a successful procedure for reduction of dental caries. He enumerated 5 proven conclusions in Michigan, Wisconsin, et al, regarding successful results of fluoridation. Fluorine, he emphasized, is not a medication, but that it is a natural element in water. He said, further, that addition of the substance to water does not constitute mass medication, as has been contended by some persons. He said that 6,000 communities use the method now and that in the State of California there are 2. The cost, Dr. Askew told, would be 4¢ per person per year. He made a point of saying that no scientific body opposes fluoridation. He said that it is not poisonous in the degree proposed here. Imperial Valley, he said, has natural flourine in the water, and that as a result residents there have superior teeth. He said, also, that an opinion has been received from the Attorney General directed to the State of Board of Health to the effect that fluoridation is legal. He said that its use is scientific, and asserted that the Council must go forward to protect public health.

Dr. A. A. Marlow, president of the San Diego County Medical Society, was presented. He stated that a committee of said Society recommends fluoridation.

Dr. Charles Smith, president of the County Association, spoke next in favor of fluoridation to combat "man-made" dental disease. He spoke of use in Michigan, Wisconsin and Indiana resulting in up to 66% success from fluoridation, based upon scientific 6-year research. He said that flouridation here would be an aid.

Mrs. Barteau, president of the 9th District PTA health committee, told of the records of dental caries in schools among the children, and spoke for fluoridation.

Mrs. Tobias, representing the Community Welfare Council, read a statement favoring fluoridation, which statement was signed by Edgar M. Brown.

Miss Jenson, of the Frontier Coordinating Council, advocated fluoridation. She said she wants to take care of the children's dental problems through flouridation of water.

Chollas View Coordinating Council, represented by Mrs. Elson, spoke in favor of flouridation.

The Vice Mayor invited the opposition to be heard at this time.

E. L. Flood spoke, and asked for the reading of a letter from Carl Wilson.

The letter referred to was dated September 18, 1951, signed by Carl Wilson, consulting technologist in water supply, 112 West Ninth Street, Los Angeles 15, California, addressed to Gerald E. Arnold, Director, San Diego Water Department. A copy of said letter, together with others on the subject, was secured by the Clerk from the City Manager, and read in its entirety. The concluding paragraph said that a clear demand for caution was presented before enlarging the number of experimental installations at the present time; also, that a few years from now when more complete and far reaching data shall have been accumulated, it may be desirable to reconsider the matter but that at present the writer felt compelled to urge that fluoride treatment be deferred. Said statement was made, according to the letter, at the request of the Water Department Director of Mr. Wilson as the City's Water Consultant.

Mr. Flood was heard at this time, and the Chairman ruled that the time taken up by the reading of the Wilson letter at Mr. Flood's request had reduced the opposition's time for presentation of its case.

Mr. Flood said that only the dentists' side had been presented in the PTA meetings heretofore referred to. He read a written statement regarding the State taking over medication, by adding fluorine to the water. He said that fluoridated bottled water is available to those who desire it. He opposed "mass medication". He said that doctors and dentists have pointed out defects in fluoridation. He said chlorination of water

for the purpose of purification is not opposed. He said that fluoridation of the water supply is a "misuse of public power for forced medication". He said that it would be an infringement of freedom and liberty. Christian Scientists, Mr. Flood said, want freedom to carry out religious convictions. He told of an article in Consumers' Research, which he read, along the lines of his own statements. He read a letter from Helen G. Lewis, former La Jolla PTA president, regarding discoloration of teeth of her children resulting from flourine in Arizona water. He told of a water commissioner's reaction, and read a paper thereon. He said it was in reply to a request from him (Mr. Flood) in opposition to fluoridation. He said that the article opposed the cost, which was said could be spent more advantageously. Fluorides, Mr. Flood said, could be added to foods where desired.

Councilman Godfrey interrupted the speaker. He talked about the rules of the hearing as laid down by the Chairman. He felt that the time should be extended to permit 45 minutes for presentation on each side of the question.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the time for discussion on each side of the question was extended to 45 minutes.

The chairman then granted 16 additional minutes of time to Mr. Flood and his side of the discussion.

Mr. Flood resumed speaking, and quoted from another publication opposing compulsory medication and which attacked Public Health bulletins favoring fluoridation. He read from a Bakersfield (California) newspaper clipping opposing fluoridation. He read other articles along the same lines, one regarding possible exploration of other means of providing additional fluorides in addition to through the public water supplies. He read from an article written by a dental researcher. Mr. Flood thanked the Council for the time to hear him, and concluded his talk.

The Vice Mayor recognized C. Leon de Aryan, to whom he allotted 5 minutes to join the opposition. Mr. de Aryan spoke about the addition of "rat poison" to the water, as he termed the fluoride. He referred to and read from a medical dictionary about assimilation of fluoride, which stated that it cannot be done until having passed through plant life. Mr. de Aryan told of use of bottled water in the Civic Center by the Mayor, Health Department, City Attorney, and others, referring to addition of flourine. His point seemed to be that those in the Civic Center who used bottled water would not be consuming the flourides added to the City's water supply. He spoke of poisoned water, which he said could be accomplished by enemies through introduction of poisons to the water supply.

Dr. Askew was heard again in answer to Messrs. Flood and de Aryan. He said that all the quotations used had been from out of the City. He said that we are able to make our own investigations. He read from an American Water Works Association publication which said that water works men are in no position to pass on the subject. He said that the cost would be \$14,000.00 per year over a 10-year period - 4¢ per capita per year, with 20¢ per child benefited. He spoke of one of Mr. Flood's references (from England), and said that this country does not want to do as England has in the matter of medicine. He said that the use of the flourine would be 1 part per million. He said that flourine does not have anything to do with cancer cell growth (as inferred in one of the articles read by the opposition). He said that the man who had made the statement had been unable to reproduce the effect. Dr. Askew emphasized that much study has been given to the subject, and that the recommendation had not been made on hasty decision.

Dr. McClendon was heard again, and reiterated that the Council has the responsibility of the public's health interest. He said that the opposition has based its contentions upon misinformation. He said that the Health Board should promote health. He referred to present additions to the water. He referred to statements about damage to kidneys and livers where flourine is used, and said that evidence has shown no greater flourine in those organs even where there have been overdoses. Neither have there been any deleterious effects or any lives shortened thereby, Dr. McClendon stated.

Dr. Smith spoke again, and said that there is no divided opinion regarding the amount of fluoride used: 1.5 parts per million is the limit permitted by Public Health Service. He spoke of the flourine already present in City water. He read about research where there were 2.5 and 35 parts per million, and that there had been no damage therefrom. He said that Mr. Flood's statistics are based on small groups and limited, whereas the proponents based their conclusions on large scale investigations.

Dr. John Steen, representing the San Diego County Dental Society, spoke. He told of having attended the American Dental Association meeting recently, at which 10,000 dentists were present. He said that the meeting resulted in urging the fluoridation of water throughout the country. He said that there are usually many different points of view on various subjects at those meetings, but that the recommendation for addition of flourine to the water was unanimous.

Dr. Taylor Dykes, of the State Department of Public Health, Dental Division, told of records of 11,000 children per year, and that dental conditions among the children are becoming worse regularly. Riverside County children's dental decay, Dr. Dykes said, is diminishing, where flourine exists. He pleaded for the "benefit of the children".

Mr. McCarthy, San Diego Tuberculosis Association, spoke in behalf of the Board of Directors, in favor of fluoridation.

Dr. Askew said that people in the Civic Center may drink any water they want, referring to Mr. de Aryan's comments regarding existing water bottles there.

Miss Hare, of the Visiting Nurses Association, spoke. She said that the San Diego and La Jolla Associations endorse the plan for fluoridation.

Dr. Marlow spoke again, and said that the flourine addition can be determined as to exact amounts.

Dr. Steen told of the amount of flourine needed to be toxic.

Although the chairman said that the time had been exhausted, E. E. Putnam attempted to speak.

Members of the Council said that they wished to hear him.

Mr. Putnam told of having buried animals affected by chlorine poisoning from hay.

The chairman declared the hearing closed.

Councilman Kerrigan asked the audience present to raise their hands to indicate those in favor and those opposing fluoridation. Hands were raised, and although no count was taken, they appeared to be about evenly divided.

Councilman Dail asked Mr. Flood if he represented the Christian Science Church in his opposition to the flouridation.

Mr. Flood replied to Mr. Dail that he did.

Mr. Dail then asked Mr. Flood if fluoride existing in large quantities naturally was called medication.

Mr. Flood said that there is a difference where the fluorides exist naturally and where they are added. It is fine, he said, when it is natural, but not when it is added. Asked if he thought the natural fluoride ought to be removed, Mr. Flood said that would be silly.

Councilman Godfrey asked Mr. Flood for his authorities, in his several references, and "what does he say?"

Mr. Flood named his authorities, and quoted from their statements.

Councilman Dail asked Mr. Flood questions about fluorine.

Mr. Flood said that the Church does not have any objection to natural fluorine, but wants none added. He said that there is no way of escaping its use where it is added.

Councilman Swan asked regarding the time chlorine was first added to water, and wanted to know if the Church opposed such action.

Mr. Flood replied that the church did not oppose addition of chlorine to the water since its purpose was to cleanse.

Councilman Schneider asked if others opposed the fluorination on grounds other than their Church affiliation. Three or 4 persons responded.

Councilman Godfrey asked regarding the natural and added fluorine.

Dr. Smith replied to Mr. Godfrey's question by saying that no "gas" is added to the water during fluoridation, as had been stated by Mr. Flood. He said that it is the same as is picked up by the water in its natural flow.

An unidentified woman wanted to know why dentists don't fluoridate in some other manner.

No one attempted to answer the woman who asked the question.

Councilman Godfrey said that anyone has the right to object to the fluoridation on religious grounds. He wanted to know about the difference between "medicine" and a "nutrient".

Another unidentified woman arose to answer Mr. Godfrey. She said that Christian Scientists do not take nutrients. She said that fluoridation was a "dangerous trend", and that it could be the opening wedge for addition of other materials.

Councilman Godfrey continued with his statements and questions, not set out inasmuch as they repeated some of his earlier remarks.

An unidentified man read a statement, and said that addition of "fluorine would be state medicine".

Edmund Pieper, 867 Harbor View, filed a copy of "AMERICAN Bulletin", by W. D. Herrstrom, World Traveler, News Analyst, No. 17, dated Sept. 1951, with various paragraphs checked, indicating his approval of the views set forth therein.

Councilman Godfrey moved to refer the matter to Council Conference, which motion was seconded by Councilman Swan.

Before the roll could be called, there was discussion on the motion. Councilman Dail thought the matter could go on the ballot at an early election.

Councilman Godfrey withdrew his motion.

The Chairman said that it is a "terrific responsibility". He thought the matter might go on a Water Authority election which has been reported to be held in the near future.

Councilman Dail said the City might go further and include the matter of water softening at the same election.

Councilman Swan said he felt that the matter should go to Conference. He said he was not ready to vote at this time. He said he wants to study the evidence.

Councilman Godfrey renewed his motion to send the matter to Conference, which motion was seconded by Councilman Kerrigan.

More discussion followed before the roll could be called.

Councilman Wincote said that the Council is the policy-making body, and that it should make the decision. He said he was ready to vote, and saw no advantage in referring the question to Conference.

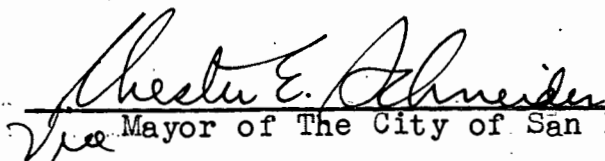
The chairman declared the Floor clear.

Councilman Kerrigan moved to close the hearing, which motion was seconded by Councilman Swan. The Chairman thereupon declared the hearing closed.

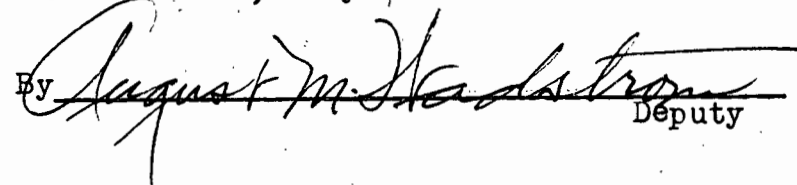
The motion to refer the matter to conference was again made by Councilman Godfrey, seconded by Councilman Kerrigan, resulting in

RESOLUTION NO. 104148, recorded on Microfilm Roll No. 44, referring the matter of fluoridation of water in the City of San Diego to Council Conference, was adopted by the following vote, to-wit: Yeas -- Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey. Nays -- Councilman Wincote. Absent -- Mayor Butler.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Dail, at the hour of 4:20 o'clock P.M.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, October 25, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:00 o'clock A.M.

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

In the absence of Mayor Butler from the City, Vice Mayor Chester E. Schneider acted as chairman.

Claim of E. R. Bland Company, 666 Ninth Avenue, in the sum of \$6,037.61, for water damage at warehouse located at 1701 C Street, in connection with maintenance and repair of water mains, was presented.

RESOLUTION NO. 104149, recorded on Microfilm Roll No. 44, referring claim of E. R. Bland Company to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Claim of Kenneth R. Conger, address not shown, in the sum of \$251.53, for damage to his automobile by a City truck, was presented.

RESOLUTION NO. 104150, recorded on Microfilm Roll No. 44, referring claim of Kenneth R. Conger to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Claim of Mrs. J. Rottman, 4448 - 35th Street, in the sum of \$4.50, for cleaning kitchen sink faucet of mud and grit, was presented.

RESOLUTION NO. 104151, recorded on Microfilm Roll No. 44, referring claim of Mrs. J. Rottman to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for installation of College Avenue 16" cast iron pipe line from Estelle Street to University Avenue, recommending award to Charles J. Dorfman, the low bidder - 5 bids received - was presented.

The report stated that the low bid was \$16,461.50, whereas the Water Department's estimate was \$14,500.00.

RESOLUTION NO. 104152, recorded on Microfilm Roll No. 44, accepting bid of Charles J. Dorfman for installation of College Avenue 16" cast iron pipe line from Estelle Street to University Avenue, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, recommending purchase of two tracks and pads for Model D 7 Caterpillar tractor without advertising for bids, inasmuch as they are available only through the Caterpillar agency, San Diego Tractor and Equipment Company, was presented.

RESOLUTION NO. 104153, recorded on Microfilm Roll No. 44, authorizing and directing the Purchasing Agent to purchase from the Caterpillar Agency, San Diego Tractor & Equipment Company, without advertising for bids, two tracks and pads for Model D 7 Caterpillar tractor, at a price not to exceed \$1275.14, including tax, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Manager returning papers relative to the County's application to purchase City-owned land south of Aero Drive for use as a site for a new juvenile hall, and attaching copy of his reply to the County's Director of Public Works to the effect that it is the belief of the Council that other sites in the metropolitan area would be better suited for use as a detention home than the land sought, was presented.

On motion of Councilman Wincote, seconded by Councilman Swan, all the papers were ordered filed.

Communication from the City Manager reporting on petition of C. O. Woodland for permission to remove tree from in front of 4856 Voltaire Street, and recommend-

ing its filing, was presented.

Accompanying the Manager's report was copy of communication from him addressed to Mr. Woodland, stating that several trees on the street had been removed inasmuch as they were dead or in a hazardous condition, that the Park Department has been instructed to pay particular attention to trimming the remaining cypress trees in order that they would not constitute a hazard either from falling limbs or from obstruction of visibility to drivers of automotive vehicles.

Councilman Swan said that 10 lights in the area are hidden by the cypress trees.

Councilman Wincote pointed out that the City Manager had been instructed, in Conference, to trim the trees to clear the lights.

Mr. Swan said that Voltaire is the only business street in the City "in shadows at night" from trees. He declared the condition to be a traffic hazard, and that there have been pedestrian injuries due to obstruction of the lights.

There was considerable joshing with Mr. Swan by other members of the Council over the situation, but Mr. Swan maintained that it is a serious local condition which needs to be corrected.

On motion of Councilman Swan, seconded by Councilman Godfrey, the matter was referred back to the City Manager regarding the traffic hazard existing on account of trees hiding the lights.

Communication from the Planning Commission, signed by the City Planning Director, recommending amendment to the Zoning Ordinance relative to establishment, composition of and powers and duties of the Zoning Committee, as set forth in Sections 14 and 15 of the Zoning Ordinance No. 8924 as amended, was presented.

RESOLUTION NO. 104154, recorded on Microfilm Roll No. 44, requesting the City Attorney to prepare and present an ordinance amending the Zoning Ordinance, on the powers and duties of the Zoning Committee, to be discussed in Council Conference.

Communication from the Planning Director presenting form of Resolution prepared by the City Attorney furthering beach acquisition program and cooperation with the State Parks and Beaches Commission, pointing out that if the Resolution is adopted the State will immediately start acquiring land in the approved program, was presented.

RESOLUTION NO. 104155, recorded on Microfilm Roll No. 44, authorizing the Mayor and City Clerk to execute Grant Deeds conveying to the State portions of Torrey Pines Beach and Mission Beach; authorizing and directing the City Manager to execute a lease agreement with the State, wherein the State will lease to the City the lands conveyed in said deeds and additional beach lands to be acquired by the State for a term of 50 years with a right of renewal for a like period; authorizing and directing the City Clerk to send copies of the deeds and leases to the proper authorities; cancelling deeds heretofore granted to the State on said property, executed August 16, 1950 and July 2, 1951; cancelling lease agreement executed by the City Manager pursuant to Resolution No. 102843; rescinding Resolutions Nos. 99072 adopted August 15, 1950, and 102843 adopted June 28, 1951, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of sections of the Subdivision Ordinance affecting El Cerrito Terrace Unit No. 2, was presented.

RESOLUTION NO. 104156, recorded on Microfilm Roll No. 44, suspending Secs. 3E5, 3J6, 4A8 and 6, 5C of the Subdivision Ordinance in connection with the Tentative Map of El Cerrito Terrace Unit No. 2, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of El Cerrito Terrace Unit No. 2 for the subdivision of 15 lots fronting on Acorn Street, northerly of El Cerrito Terrace Unit No. 1 and located between College Avenue and 62nd Street, subject to 10 conditions set forth therein, was presented.

RESOLUTION NO. 104157, recorded on Microfilm Roll No. 44, approving Tentative Map of El Cerrito Terrace Unit No. 2, subject to conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Zoning Committee reporting on appeal of Charles E. Parrish and Jeanne E. Parrish, 3769-3771 Fairmount Avenue, heretofore before the Council and referred back for further study and report, was presented.

Charles E. Parrish spoke, and told of past actions on his part and by the Planning Commission.

The Vice Mayor asked to have the matter deferred until a representative from the Planning Department could be present.

(See later minutes, this date, on this matter).

Communication from Lena Kendall (Mrs. Oscar J. Kendall) relative to abandonment of all condemnation suits against her property in the Mission Bay-Crown Point area; the establishment of an official mean-high tide line along Acre Lot 73 and Mission Bay; referring to property she would then propose to deed to the Regents of the University of California (Scripps Institution of Oceanography) for the benefit of Wild Life Protected Area, or educational, scientific public purposes, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, Mrs. Kendall's letter was referred to the City Manager.

Communication from San Diego Public Safety, dated October 20, 1951, signed by Hal H. Hobson, Secretary, urging consideration to designation of streets for one-way vehicular traffic, citing successful operation in other cities, was presented.

On motion of Councilman Dail, seconded by Councilman Wincote, said communication was referred to the City Manager.

Communication from Edgar Weldon Hebert, address not given, dated October 21, 1951, pointing out various intersections as being "death traps at present" and urging installation of traffic lights; also suggesting that present lights be operated on Sundays when there is a lot of traffic and in the evenings after six o'clock when they are needed as much if not more than during the day, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said communication was referred to the City Manager.

Communication from Federated Sportsmen of San Diego County, 4937 Kendall Ave., San Diego 9, signed by L. A. Cartwright, President, being copy of communication addressed to San Diego County Department of Public Works, relative to Boulder Canyon Reservoir development project, and naming Maurice Weinberger, 3633 Albert Street, as Chairman of committee to work with the County relative to development and maintenance of the proposed reservoir, was presented.

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

Communication from Mrs. Ella Morrow, 7424 La Jolla Boulevard, La Jolla, dated Oct. 22, '51, relative to a previous letter she had sent urging the use by the City of covered garbage trucks, and transmitting folder showing equipment used in other cities, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, said communication was referred to the City Manager.

Communication from William Vatter, 2719 - 30th Street, San Diego 4, dated Oct. 22, 1951, relative to need for a new bridge on 30th Street, to replace the old narrow dangerous bridge, over the Switzer Canyon, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, said communication was referred to the City Manager.

Communication from Pacific Indemnity Company, dated October 22, 1951, signed by J. M. McConnell, reporting on claim of William L. Hagg in the sum of \$91.50, reporting that the case has been closed by payment of said sum, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated October 22, 1951, signed by J. M. MacConnell, reporting on claim of V. R. Knight and California Electric Works, in the sum of \$315.58, stating that the case had been closed by payment of \$309.45, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated October 22, 1951, signed by J. M. MacConnell, reporting on claim of Albert Schwab in the sum of \$13.00, stating that the case has been closed by payment of said sum, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, said communication was ordered filed.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids for the resurfacing of ~~off~~ (1) Frontier Street; (2) Linda Vista Road; (3) University Avenue; (4) 30th Street - portions thereof - recommending 4 awards, each to the low bidder on one of the items, was presented.

RESOLUTION NO. 104158, recorded on Microfilm Roll No. 44, accepting bids and awarding contracts for the resurfacing of portions of 4 streets, as follows:

To Griffith Company for Frontier Street and Rosecrans Street to West Point Loma Boulevard -

To R. E. Hazard Contracting Company for Linda Vista Road 100 feet north of Levant Street to north City limits near aero Drive -

To V. R. Dennis Construction Company for University Avenue from west line of Euclid Avenue to approximately 60 feet east of 60th Street -

To Daley Corporation for 30th Street, from the north line of A Street to

south line of Imperial Avenue, and 32nd Street from the north line of Market Street to the south line of Imperial Avenue - also empowering the City Manager, for and on behalf of the City of San Diego, to execute contracts with the successful bidders named above, upon execution by them of said contracts and upon the execution, delivery, filing and approval of bonds required thereunder, was on motion of Councilman Kerrigan, adopted.

The matter of the zone variance appeal of Charles E. Parrish and Jeanne E. Parrish was resumed at this time, the Planning Director having appeared. - the first part of which matter will be found on Page 144 of these minutes.

Communication from the Senior Planning Technician, dated 10-22-51, reporting on the matter which had been referred back by the Council for further consideration, was read.

Communication from the Senior Planning Technician, dated October 3, 1951, being the first report in the matter, was read.

Glenn A. Rick, City Planning Director, spoke. He showed a plat of the property in question to the Council. He told of conditions attached to a variance if it were granted (it was denied) which would require parking facilities. Mr. Rick said that although it is possible to modify the plans to provide for a parking area, Mr. Parrish does not want to do so.

Mr. Parrish spoke at this time. He said a builder had looked over the property, and said that its appearance could be improved by the construction of a new roof, which he proposed to do.

Asked about conditions, such as parking being attached to a variance, the City Attorney made a verbal report. He said that when a variance to existing laws is granted, the Zoning Committee may attach any reasonable conditions.

Mr. Parrish said that the building which he desires to convert into living quarters, had been so used at the time the property was purchased. He said that he does not want to put parking in the front yard, and pointed out that while it would take cars off the street, it would not look well.

Mr. Rick said that the access court is required by State law, but that an existing alley may be used as a "secondary access".

Councilman Wincote moved to sustain the appeal and overrule the Zoning Committee's decision. There was no second at this time.

Mr. Parrish continued speaking, and told of other construction in the area, which had been done without providing off street parking.

Mr. Rick replied to Mr. Parrish's statement by saying that the construction was done regularly, without any needed variance, or deviations from permitted use.

At this time Councilman Dail seconded ~~by~~ Mr. Wincote's motion, resulting in

RESOLUTION NO. 104159, recorded on Microfilm Roll No. 44, sustaining the appeal of Charles E. Parrish and Jeanne E. Parrish, 3769-3771 Fairmount Avenue, from the decision of the Zoning Committee in denying by its Resolution No. 5874 their application No. 9711, for variance to the provisions of Ordinance No. 8924, to permit conversion of the existing double garage into a living unit, making a total of three units on their property, two units to be served by 8 foot 6 inch access court, said property being the south 8 feet of Lot 6, all of Lot 7 and the north 8 feet of Lot 8 Block 7 City Heights Annex No. 1, in Zone C, overruling and denying said Committee decision, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104160, recorded on Microfilm Roll No. 44, authorizing and directing the City Auditor and Comptroller to prepare and deliver to M. H. Golden Construction Company, upon receipt of a release of the City from any further obligation of any kind or character arising out of or in connection with contract contained in Document No. 388775 on file in the office of the City Clerk providing for construction of a sewage treatment plant, a warrant in the sum of \$23,225.07, which said amount represents the balance of \$35,000.00 still due on said contract after having deducted \$11,774.83 which said sum represents one-half of the cost of the repair work heretofore done and completed by the City on digesters 4 and 5 of said plant, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104161, recorded on Microfilm Roll No. 44, authorizing and empowering the Vice Mayor and the City Clerk to execute, for and on behalf of the City, an agreement by and between The City of San Diego and the San Diego Chamber of Commerce, providing for employment of the services of said Chamber of Commerce in connection with advertising, exploiting and making known the resources and advantages of the City for the purpose of increasing the trade and commerce thereof, for the fiscal year beginning July 1, 1951 and ending June 30, 1952, the total cost of which said services shall not exceed the sum of \$12,500.00, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104162, recorded on Microfilm Roll No. 44, authorizing the Trinity Episcopal Church, 2083 Sunset Cliffs Boulevard, Ocean Beach, to erect a tent at said address, to be used for one day, November 3, 1951, in connection with a church bazaar, said tent to be erected in accordance with all rules, regulations and ordinances of the City, subject to inspection and approval of the Building Inspection and Fire Departments of the City, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

Communication from the City Manager recommending granting petition of El Cortez Hotel for increased driveway on Ash Street, which had been before the Council on September 18, 1951, and referred back to the City Manager for further investigation and report, was brought up at this time.

The City Manager read a report from the City Traffic Engineer on the proposal made for use of an entrance on 8th Avenue, instead of addition to the existing driveway to the hotel's garage on Ash Street.

Councilmen Dail and Godfrey stressed the point that there is a bad situation which results from making lefthand turns in the busy street into the garage.

Councilman Kerrigan moved to adopt the Resolution.

The City Manager continued with his statement by saying that the Police can prohibit left turns when it is thought advisable to do so. He pointed out that the left turn is not related to the subject at hand, being the widening of the driveway.

The sergeant at arms, who is a member of the Police Department, made a verbal report on an accident he had investigated in the same block this morning.

RESOLUTION NO. 104163, recorded on Microfilm Roll No. 44, granting permission to El Cortez Hotel, 700 Ash Street, San Diego 1, to remove 10 feet of curb on the north side of Ash Street, between points 42 feet and 52 feet west of the west line of Eighth Avenue, for installation of excess-width driveway approach to the hotel garage by widening the present driveway adjacent to Lot 7 Block 11 Bay View Homestead, said curb removal and driveway installation to be in accordance with all rules, regulations and ordinances of The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104164, recorded on Microfilm Roll No. 44, granting permission to Frank F. Swan, 2125 Abbott Street, San Diego, to install a four-inch cast iron sewer line, to be placed two feet outside the property line and run in a northeasterly direction parallel to the northwesterly line of Lot 1 Block 20 Ocean Beach Subdivision, to point of intersection with public sewer, to serve property at 1659 Ebers Street, subject to approval of the San Diego Health Department and City Manager, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104165, recorded on Microfilm Roll No. 44, authorizing the City Auditor and Comptroller to attend a meeting of the Board of Directors of the Municipal Finance Officers' Association of the United States and Canada, to be held in Chicago on November 10 and 11, 1951, authorizing the incurring of all expenses necessary in connection with said trip, provided, however, that the City shall be reimbursed for said expenses by the Association, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Prior to adoption of said Resolution, the City Manager made a brief verbal report, along the lines of the Resolution.

RESOLUTION NO. 104166, approving bill of San Diego-California Club, bearing date September 10, 1951, in the sum of \$6,566.44 for expenses incurred, as approved by the Advertising Control Committee, authorizing the drawing of a requisition on the Advertising and Publicity Fund for the fiscal year 1951-1952 for said sum, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

ORDINANCE NO. 4959 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$56,000.00 from the Capital Outlay Fund, for the purpose of providing funds for the resurfacing of Frontier Street and Rosecrans Street; Linda Vista Road; University Avenue; 30th Street and 32nd Street - (awarded earlier in this meeting) - was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Councilman Dail spoke about the matter of fluoridation upon which a hearing had been held on Tuesday of this week, and told of discussions he had had with interested persons since the hearing. He thought it might be well to consider the matter again today. No action was taken at this time.

The City Attorney requested, and was granted unanimous consent to present the following matter, not listed on the Council's agenda:

RESOLUTION NO. 104167, recorded on Microfilm Roll No. 44, authorizing the City Manager to enter into contract with Everts and Esenoff for the making of an audit for the City of San Diego, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

At the hour of 10:45 o'clock A.M. the Council took a recess for the period of 5 minutes.

Upon reconvening, at the hour of 11:19 o'clock A.M., the roll call showed the following:

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

The Vice Mayor called the meeting to order, at which time the matter of the fluoridation of City water was brought up again.

There was some discussion by members of the Council who expressed their views, and set forth their positions as they intended to vote on the question.

RESOLUTION NO. 104168, recorded on Microfilm Roll No. 44, instructing the City Manager to proceed with fluoridation of the water supply, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilman Swan. Absent--Mayor Butler.

As the roll was being called, Councilman Swan objected to what he called haste, and interrupted the Clerk. Calling of the roll was discontinued, during which there was further discussion at which time Mr. Swan said he was not ready to vote. However, the question was called for again, and the roll was called over again, resulting in the one "nay" vote and one member absent, as shown above.

The communication from Charles A. Clark II offering a replica of the Declaration of Independence for exhibition in the Council Chamber, was withdrawn from Council Conference and ordered filed.

Accompanying Mr. Clark's letter was a copy of reply written to him at the U. S. National Bank Building, San Diego 1, dated October 25, 1951, signed by the Secretary to the City Council, stating that the Council would be happy to accept the gift, were it offered to the City without any provisions or stipulations.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the meeting was adjourned, at the hour of 11:24 o'clock A.M.

Chester E. Schneider
Vice Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *August M. Hadstrom*
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, October 30, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:00 o'clock A.M.

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

In the absence of the Mayor from the City, in connection with his visit to Japan, Vice Mayor Chester E. Schneider presided.

The Minutes of the Regular Meetings of Tuesday, October 23, 1951, and of Thursday, October 25, 1951, were presented to the Council by the Clerk. On motion of Councilman Kerrigan, seconded by Councilman Swan, said Minutes were approved without reading, after which they were signed by the Vice Mayor.

The Vice Mayor recognized the organized visiting groups, and welcomed them, after which each group arose upon being introduced. They were the following:

Students from San Diego State College Political Science Class, accompanied by Dr. Wilcox, instructor;

Woodrow Wilson Junior High School Journalism Class, accompanied by Mrs. Marshal;

Girl Scout Troop 312, Pacific Beach, accompanied by Mrs. Lawrence Lawson. Mrs. Lawson spoke briefly about the Girl Scouts' interest in civic affairs, and at her direction, two of the Girl Scouts presented to members of the Council a booklet entitled "How to be prepared - The Girl Scout Motto in Action".

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of the Alley in Block 149 University Heights, within the limits and as particularly described in Resolution of Intention No. 103515, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$650.00, which bid was given Document No. 440219;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$600.00, which bid was given Document No. 440220;

The bid of Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$700.00, which bid was given Document No. 440221;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$700.00, which bid was given Document No. 440222.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2035, made to cover the cost and expenses of the paving and otherwise improving of Oliphant Street, Poe Street and Locust Street, within the limits and as particularly described in Resolution of Intention No. 100060, the Clerk reported that no written appeals had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104169, recorded on Microfilm Roll No. 44, confirming and approving the Street Superintendent's Assessment No. 2035 made to cover the cost and expenses of the paving and otherwise improving of Oliphant Street, Poe Street and Locust

Street, within the limits and as particularly described in Resolution of Intention No. 100060, confirming and approving said Assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and directing him to record the same in his office, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the proposed improvement of the Alley in Block 20 City Heights, within the limits and as particularly described in Resolution of Preliminary Determination No. 103788, for report on the protest, the City Engineer made a verbal report. He told the Council that there is a 30.5% protest, and mentioned duplication of signatures which would make 48.4% in favor of the improvement, and said that some had now changed their minds making the present number of property owners in favor 54.8%.

Councilman Godfrey moved to continue the hearing for one week, inasmuch as 6 votes of Council members were not present for adoption of Resolution of Feasibility.

There was discussion on procedure.

Mrs. Minnie Elliott, who resides on Haller Street, spoke. Her position in the matter was not clear, but inasmuch as she did not oppose the improvement it was indicated that she favored it.

RESOLUTION NO. 104170, recorded on Microfilm Roll No. 44, overruling and denying the protest of Mrs. Ralph L. Hall and others against the proposed paving and otherwise improving of the Alley in Block 20 City Heights, within the limits and as particularly provided for in Resolution of Preliminary Determination No. 103788, overruling and denying all other protests thereon, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104171, recorded on Microfilm Roll No. 44, continuing the hearing on the proposed improvement of the Alley in Block 20 City Heights, under Resolution of Preliminary Determination No. 103788 until the hour of 10:00 o'clock A.M. of Tuesday, November 6, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed improvement of Playa del Norte Street and Neptune Place, within the limits and as particularly described in Resolution of Preliminary Determination No. 103891, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

The Vice Mayor declared the hearing.

RESOLUTION NO. 104172, recorded on Microfilm Roll No. 44, continuing the hearing on the proposed improvement of Playa del Norte Street and Neptune Place, within the limits and as particularly described in Resolution of Preliminary Determination No. 103891, until the hour of 10:00 o'clock A.M. of Tuesday, November 6, 1951, (for consideration of Feasibility - which requires 6 votes for adoption), was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in Five Points Lighting District No. 1, for a period of one year from and including August 5, 1951 to and including August 4, 1952, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104173, recorded on Microfilm Roll No. 44, confirming the Engineer's Report and Assessment for Five Points Lighting District No. 1, filed in the office of the City Clerk September 21, 1951, and adopting said report as a whole, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 1, for a period of one year from and including August 7, 1951 to and including August 6, 1952, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104174, recorded on Microfilm Roll No. 44, confirming the Engineer's Report and Assessment for University Avenue Lighting District No. 1, filed in the office of the City Clerk September 21, 1951, and adopting said report as a whole, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Petition of Grace L. Sloan for permission to start annexation proceedings as provided by the Annexation of Uninhabited Territory Act of 1931, as amended, for annexation of Lots 5, 6, 7, 8, 9, 10 in Block 18 of Kensington Park (she being the owner of

Lot 5), was presented.

Accompanying said petition was communication from San Diego County Boundary Commission, dated October 25, 1951, signed by Marie Nasland, Secretary, recommending approval of the description of territory to be annexed, together with map showing the area to be annexed.

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

Petition of Harry S. Nelson Chapter No. 2, D.A.V., for permission to conduct "Forget-Me-Not" sale on the City streets November 9, 10, 11, 1951, was presented.

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

Claim of F. A. Fares, 3807 National Avenue, in the sum of \$329.00, for damage to his food market resulting from sewer line backing into the building, was presented.

RESOLUTION NO. 104175, recorded on Microfilm Roll No. 44, referring claim of F. A. Fares, 3807 National Avenue, to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Claim of Harvey L. Patten, Jr., 1211 Archer St., San Diego 9, in the sum of \$2.34 for damage to car backed into by City truck, was presented.

RESOLUTION NO. 104176, recorded on Microfilm Roll No. 44, referring claim of Harvey L. Patten, Jr. to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Claim of C. D. Provost, 5205 Groveland Dr., San Diego 14, Cal., in the sum of \$14.69 for damage to car in a ditch in the City street, was presented.

RESOLUTION NO. 104177, recorded on Microfilm Roll No. 44, referring claim of C. D. Provost to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Claim of the Pacific Telephone and Telegraph Company (amended), in the sum of \$39.55 - original claim was an estimate of \$500.00 - was presented. The claim covered damage done to cable at the foot of the 28th Street Mole Pier, by operations of the Harbor Department.

RESOLUTION NO. 104178, recorded on Microfilm Roll No. 44, referring claim of The Pacific Telephone Company to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Claim of Mrs. Kenneth A. Scott, in behalf of her mother, Inez M. Olds, 1098 Oaklan Ave., Chula Vista, Calif., in an unspecified sum, for personal injuries resulting in a fall near Island Avenue on 18th Street, was presented.

RESOLUTION NO. 104179, recorded on Microfilm Roll No. 44, referring claim of Inez M. Olds to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Claim of Anna L. Cochran and J. Frank Cochran, 4655 - 34th Street, in the sum of \$25,000.00, for personal injuries sustained by Mrs. Cochran (and loss of consortium) was presented.

RESOLUTION NO. 104180, recorded on Microfilm Roll No. 44, referring claim of Anna L. Cochran to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Claim of Jesse Ghant, 3267 National Avenue, in the sum of \$600.00, for property damage re removal of earth, etc., on his premises, was presented.

RESOLUTION NO. 104181, recorded on Microfilm Roll No. 44, referring claim of Jesse H. Ghant to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing Cement Asbestos Pipe, pointing out irregularities in the 2 bids received, recommending rejection and the purchase of pipe in the open market, was presented.

RESOLUTION NO. 104182, recorded on Microfilm Roll No. 44, rejecting bids received October 24, 1951 for furnishing cement asbestos pipe, directing the Purchasing Agent to purchase said pipe on the open market, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp

of approval, reporting on bids for construction of storm drain in Block 57 H. M. Higgin's Addition, recommending award to H. H. Peterson, the low bidder of 5 bidders - stating that the Engineer's estimate was \$7,700.00, whereas the low bid was \$4,625.00 - was presented.

RESOLUTION NO. 104183, recorded on Microfilm Roll No. 44, accepting bid of H. H. Peterson for construction of storm drain in Block 57 H. M. Higgin's Addition, awarding contract and authorizing the City Manager to enter into and execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, recommending purchase of 40 San Diego City directories from The San Diego Directory Company, 420 Land Title Building, San Diego - the sole source of supply - was presented.

RESOLUTION NO. 104184, recorded on Microfilm Roll No. 44, authorizing and directing the Purchasing Agent to purchase from The San Diego Directory Company, 420 Land Title Building, San Diego, without advertising for bids, 40 copies of San Diego City Directories, 1951 edition, at a price of \$1,648.00, f.o.b. San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager submitting Resolution authorizing the installation of 69 overhead street lights, was presented.

RESOLUTION NO. 104185, recorded on Microfilm Roll No. 44, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street lights at each of the locations set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager reporting on communication from R. J. LaJoie, M.D., Suite 322 Westlake Professional Building, 2007 Wilshire Boulevard, Los Angeles 5, California, relative to sewage pumping station built-adjoining his property in La Jolla Hermosa, was presented. Said report stated that it is a small building only 42" above the ground, that electric lines are underground and that the City will place screen planting at the site in the near future, and recommended filing.

On motion of Councilman Swan, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

A copy of the Manager's report was sent to Dr. LaJoie.

Communication from the Acting City Engineer, bearing the City Manager's stamp of approval, recommending granting a 30-day extension of time upon the Penick contract for paving the Alley in Block 187 City Heights - to cover collection period on assessment roll, work on which has been completed and assessment roll confirmed - was presented.

RESOLUTION NO. 104186, recorded on Microfilm Roll No. 44, granting extension of 30 days on the contract of T. B. Penick & Sons for improvement of the Alley in Block 187 City Heights, as more particularly described in Resolution of Intention No. 98623, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Aubrey Davis, dated October 25, 1951, requesting that a proposition to sell portions of City-owned Pueblo Lots 1314 and 1311, located westerly of Pacific Highway and northerly of La Jolla Shores Drive, on the ballot for submission to the voters, was presented.

Said communication was referred to the City Manager.

Communication from I. Manning, 735 - 2nd Avenue, for extension of bus service to the County Hospital (in connection with renewal of the San Diego Transit System's proposed franchise), was presented.

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

Communication from the Pacific Indemnity Company, signed by J. M. MacConnell, dated October 25, 1951, announcing payment of claim of Mrs. Ethel Grosso, in the sum of \$4.00, was presented.

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

RESOLUTION OF AWARD NO. 104187, recorded on Microfilm Roll No. 44, accepting bid of Daley Corporation, and awarding contract, for the paving and otherwise improving of Gamma Street, 42nd Street and Beta Street, within the limits and as particularly described in Resolution of Intention No. 103448, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 104188, recorded on Microfilm Roll No. 44, accepting bid of Griffith Company and awarding contract for paving and otherwise improving of

Jewell Street, within the limits and as particularly described in Resolution of Intention No. 103361, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 104189, recorded on Microfilm Roll No. 44, accepting bid of Al E. Riley, Inc., and awarding contract for the paving and otherwise improving of San Juan Place, Alleys in Blocks 155, 159 and 160 Mission Beach, and Bayside Lane, within the limits and as particularly described in Resolution of Intention No. 103449, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 104190, recorded on Microfilm Roll No. 44, accepting bid of San Diego Gas & Electric Company and awarding contract for furnishing electric current for the lighting of the ornamental street lights located in College Park Lighting District No. 1, for a period of one year from and including June 1, 1951, to and including May 31, 1952, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104191, recorded on Microfilm Roll No. 44, approving plans and plat of assessment district for the paving and otherwise improving of the Alleys in Block 96, 97, 99, 100, 103, 104 and 107 Mission Beach, Santa Barbara Place, Mission Boulevard, Ventura Boulevard and public rights of way, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104192, recorded on Microfilm Roll No. 44, approving plans and plat of assessment district for the paving and otherwise improving of Thomas Avenue and Reed Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 104193, recorded on Microfilm Roll No. 44, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 4, for a period of one year from and including August 1, 1951, to and including July 31, 1952, in accordance with the Engineer's Report and Assessment filed September 7, 1951 in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104194, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of the Alleys in Blocks 96, 97, 99, 100, 103, 104 and 107 Mission Beach, Santa Barbara Place, Mission Boulevard, Ventura Boulevard and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104195, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of Thomas Avenue and Reed Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104196, recorded on Microfilm Roll No. 44, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 41 Ocean Beach, and Ebers Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104197, recorded on Microfilm Roll No. 44, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 3 Wilshire Place, and Meade Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104198, recorded on Microfilm Roll No. 44, ascertaining and declaring the wage scale for the paving and otherwise improving of Palermo Drive and Alcott Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104199, recorded on Microfilm Roll No. 44, granting permission to Roy R. Brockbank, Dorothy Brockbank, Howard R. Mueller, Mary R. Mueller, et al, to grade and pave the Alley in Collwood Gardens by private contract, in accordance with the plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed in the office of the City Clerk under Document No. 440019, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104200, recorded on Microfilm Roll No. 44, adopting recommendation of the City Engineer, filed in the office of the City Clerk on October 22, 1951, under Document No. 439964, authorizing said City Engineer to amend proceedings for the improvement of Locust Street between Keats Street and Hugo Street, in accordance with said recommendation, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104201, recorded on Microfilm Roll No. 44, authorizing and directing the Property Supervisor to advertise for a period of at least 5 days in the official newspaper the sale at public auction of portion of Tract B of Rancho El Cajon, more particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Said Resolution recites that G. M. Ramstead, 5049 Foothill Boulevard, San Diego, has petitioned the Council to put the property up for sale and has deposited with the City Clerk the sum of \$65.00, that the City Manager has filed a communication recommending that said property be sold, declaring that the property is no longer needed for City purposes, that an appraisal made by a qualified real estate appraiser has set the market value at \$200.00, that the minimum amount the Council will consider is \$200.00 per acre, and reserving the right to reject any and all bids, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Prior to adoption of said Resolution, Assistant City Manager E. W. Blom made a verbal report. He told the Council that the portion proposed to be auctioned is a portion of a large purchase made by the City for water purposes. It is the last parcel, he said, of the purchase, the rest having already been sold. He said that the land is not suitable for agriculture, that it has no water upon it, and that the purchaser would acquire no water rights in connection with his purchase.

Communication from the City Manager recommending that there be no parking at any time on the easterly side of Pacific Highway between Broadway and a point 170 feet south of Broadway, also on the northeasterly side of the Highway between Clayton Street and a point 150 feet northwesterly from Clayton Street - in connection with new channelized projects at the intersections of Pacific Highway with Broadway and with Washington Street - was presented.

RESOLUTION NO. 104202, recorded on Microfilm Roll No. 44, prohibiting the parking of automobiles at all times on the easterly side of Pacific Highway between Broadway and a point 170 feet south of Broadway, and on the northeasterly side of Pacific Highway between Clayton Street and a point 150 feet northwesterly from Clayton Street, authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the City Manager recommending that there be no parking on 32nd Street between Logan Avenue and Main Street, between 7 A.M. and 9 A.M., was presented.

RESOLUTION NO. 104203, recorded on Microfilm Roll No. 44, prohibiting the parking of automobiles between the hours of 7:00 A.M. and 9:00 A.M., Sundays excepted, on the westerly side of 32nd Street between Logan Avenue and Main Street, authorizing and directing the installation of the necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104204, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to execute a lease with C. R. Boddy of portions of Lots 120 and 121 of La Mesa Colony, for a term of 5 years at an annual rental of \$60.00, plus taxes, in accordance with terms and property description contained in form of lease filed in the office of the City Clerk under Document No. 440242, property being leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104205, recorded on Microfilm Roll No. 44, approving Change Order No. 1 dated October 15, 1951, heretofore filed with the City Clerk as Document No. 440154, issued in connection with contract between The City of San Diego and Charles J. Dorfman for construction of 54th Street 12" asbestos cement pipeline, from El Cajon Boulevard to Orange Avenue, including section on Orange Avenue, and from Chollas Station Road to Euclid Avenue, contract contained in Document No. 438842, changes amounting to decrease in contract price of \$60.00, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104206, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to enter into agreement ^{for amendment} to agreement for maintenance of County of San Diego's traffic signals and lighting units by The City of San Diego, executed July 23, 1951, filed with the City Clerk as Document No. 436554, which amendment provides for one additional unit at Mission Valley Road and Ward Road, in accordance with terms and conditions set forth in copy of agreement amendment on file in the office of the City Clerk as Document No. 440271, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104207, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to enter into agreement for and on behalf of The City of San Diego, with Fallbrook Volunteer Fire Department Engine Company No. 1, whereby in consideration of the monthly payment of \$13.20 the City of San Diego shall furnish and install and maintain radio equipment and permit use of radio station K.M.A. 363, in accordance with terms and conditions set forth in copy of agreement on file in the office of the City Clerk as Document No. 440157, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104208, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego, an agreement with the Ideal Weighing Machine Company, granting concession to operate coin-activated weighing machines or scales in Balboa Park, for a period of 3 years, for which the corporation shall pay a sum equal to 40% of the total gross receipts derived from the operation for each month the machines or scales shall remain installed, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104209, recorded on Microfilm Roll No. 44, establishing fees for use of the Municipal Golf Course, as recommended by the City Manager and the Park and Recreation Director:

18-hole golf course.....\$1.20 green fee
9-hole golf course.....\$.60 green fee
Monthly ticket.....\$6.00

(Said monthly ticket entitles the purchaser to play 18 holes of golf per day, except that said monthly tickets are not valid all day on Saturday and are not valid on Sundays and holidays until after 1:00 p.m.)

Student monthly tickets.....\$1.20

(Said student monthly tickets entitle students to play a maximum of 18 holes of golf on school days only, and only after 3:00 p.m.) -

and rescinding Resolution No. 102683, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution cites that Resolution No. 102683 stated the returns for "monthly tickets" as to be possibly misinterpreted.

RESOLUTION NO. 104210, recorded on Microfilm Roll No. 44, granting permission to Lloyd T. Penick, 3604 Pershing Avenue, San Diego 4, to install a four-inch cast iron sewer line between the property line and the sidewalk, to be placed one foot outside the property line and run in a southerly direction, parallel to the east line of Lots 1 and 48 Block 2 Broderick and West Addition, to point of intersection with public sewer, to serve property at 864 - 34th Street, subject to approval of the Health Department and the City Manager, upon express condition that the City of San Diego shall be held free and clear of any claim for damages by reason of installation, operation and maintenance of said line, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104211, recorded on Microfilm Roll No. 44, authorizing the City Auditor and Comptroller to make deductions from salaries or wages of City employees who authorize the same in writing, for the 1951 Community Chest Drive, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104212, recorded on Microfilm Roll No. 44, approving bill of San Diego Junior Chamber of Commerce for one-half of the first payment made by the Chamber to Lewis Stanley, as City of San Diego's share of Tournament of Roses Parade float cost - City's share being \$250.00 - authorizing a requisition to be drawn for said sum on the Advertising & Publicity Fund of 1951-52, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 4960 (New Series), recorded on Microfilm Roll No. 44, amending Section 6 of Ordinance No. 3675 (New Series) adopted March 2, 1948 - having to do with powers and duties of the Sports Commission for the City and County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Wincote, Mayor Butler.

The reupon, on motion of Councilman Godfrey, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Wincote, Mayor Butler.

A proposed Ordinance incorporating Lots 3 to 9 inclusive, Montezuma Heights, into "R-2" Zone as defined by Ordinance No. 8924 and amendments thereto, repealing Ordinance No. 13558 adopted July 5, 1932, insofar as the same conflicts, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., on Tuesday, November 13, 1951.

ORDINANCE NO. 4961 (New Series), recorded on Microfilm Roll No. 44, changing the name of a portion of Del Mar Avenue to Vista Del Mar Avenue and changing the name of a portion of Paul Street to Frankfort Street, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Wincote, Mayor Butler.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Wincote, Mayor Butler.

ORDINANCE NO. 4962 (New Series), recorded on Microfilm Roll No. 44, changing the name of portions of May Street to July Street and Cowley Way, changing the name of portions of April Street to July Street and Deerpark Drive, changing the name of portions of March Street to July Street and Burgener Boulevard, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Wincote, Mayor Butler.

ORDINANCE NO. 4963 (New Series), recorded on Microfilm Roll No. 44, changing the name of a portion of County Road Shown on the Map of Fleischers Addition to Sixth Street Extension, changing the name of a portion of said Road to Hurd Place, changing the name of portion of Sixth Avenue to Hurd Place, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Wincote, Mayor Butler.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Wincote, Mayor Butler.

RESOLUTION NO. 104213, recorded on Microfilm Roll No. 44, authorizing and directing the City Manager to apply to the State Board of Health for an amendment of the water permit of the City to allow the City to add to the water furnished to consumers of The City of San Diego one part permillion of an approved fluoride compound, and that if and in the event said permit is so amended to direct the Director of the Water Department to take the necessary steps and means to add sufficient amounts of an approved flourine compound to all water served to consumers of The City of San Diego to produce and maintain at all times in all parts of the distribution system one part of flouride per million parts of water, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey. Nays---Councilman Swan. Absent--Councilman Wincote, Mayor Butler.

Said Resolution No. 104213 was presented by the City Manager, upon unanimous consent of the Council. He made a brief explanation.

At the hour of 10:35 o'clock A.M., the Council took a recess, on motion of Councilman Kerrigan, seconded by Councilman Dail, until the hour of 11:00 o'clock A.M., this date.

Councilman Kerrigan returned to the Council Chambers at the hour of 10:45 o'clock A.M., and announced that inasmuch as there was no further business there would be no further meeting this date. He thereupon declared the meeting adjourned.

Arthur E. Schneider
Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *August M. Handstrom*
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, November
1, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:05 o'clock A.M.

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

In the absence of the Mayor from the City, Vice Mayor Chester E. Schneider presided.

Petition of Wheelchair Dancers, 3030 Front St., by Karl Macy, Pres., dated October 29, 1951, requesting permission to sell tickets on the street in connection with benefit show for the Indoor Sports Club in the Hoover High School Auditorium, November 29 and 30, was presented.

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

Claim of Marvin M. Davis, in behalf of his daughter, Helene Dorene Davis, 1525 North Fairview Street, Burbank, California, for personal injuries sustained in the San Diego Zoo, was presented.

RESOLUTION NO. 104214, recorded on Microfilm Roll No. 44, referring said claim to the San Diego Zoo (instead of to the City's insurance carrier), was on motion of Councilman Kerrigan seconded by Councilman Godfrey, adopted.

Claim of W. L. Valanta, 891 Turquoise Street, in the approximate sum of \$200.00, for property damage to a sign by a driverless City truck, was presented.

RESOLUTION NO. 104215, recorded on Microfilm Roll No. 44, referring claim of W. L. Valanta to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Claim of Peter Tomich, 3774 Meade Avenue, in the sum of \$44.03 (estimated) for damage to his car by a City-owned truck, was presented.

RESOLUTION NO. 104216, recorded on Microfilm Roll No. 44, referring claim of Peter Tomich to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Claim of Payne Flowers, 425 Euclid Ave., in the sum of \$72.00, for damage to automobile due to driving into open ditch at 47th and Federal Blvd., was presented.

RESOLUTION NO. 104217, recorded on Microfilm Roll No. 44, referring claim of Payne Flowers to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager reporting on petition of property owners requesting that building on Lot A Block 11 Mission Beach be declared a nuisance, was presented, together with copy of his reply addressed to Richard P. MacNulty, attorney for the petitioners.

The reply states that the City appreciates the positions of the owners of other desirable property in the vicinity, but expresses regret that under the present laws the building cannot be condemned inasmuch as it has not deteriorated to the point where it can be considered structurally unsafe, a health menace or a fire hazard.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the City Manager's report and the matter to which it referred, were ordered filed.

Communication from the City Manager recommending adoption of Tentative Map of Allied Gardens Unit No. 1 subject to the provisions outlined in the Assistant Planning Director's communication dated October 26, 1951, and requesting that he be empowered to negotiate with the subdivider for purchase of 3-1/2 acres recommended as park or recreation site, was presented.

RESOLUTION NO. 104218, recorded on Microfilm Roll No. 44, adopting recommendation of the City Manager requesting authorization to negotiate with the subdivider of

Allied Gardens Unit No. 1, to purchase 3-1/2 acres of land to be used as a park or recreation site, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 7 sections of the Subdivision Ordinance in connection with the Tentative Map of Allied Gardens Unit No. 1, was presented.

RESOLUTION NO. 104219, recorded on Microfilm Roll No. 44, suspending Sections 3G1, 3C, 3E5, 3I2, 4A8 and 6, 5C, of the Subdivision Ordinance in connection with the Tentative Map of Allied Gardens Unit No. 1, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Allied Gardens, Unit No. 1, a subdivision of portion of Lots 66 and 67 of Rancho Mission 316 lots, located on Mesa easterly of Grantville and northerly of the Alvarado Canyon Freeway - the first unit of an approximately 4,000-lot subdivision of the area recently annexed to the City as a Southern Title and Trust Company Tract - including 11.1 acres of land set aside for an elementary school site and a 3-1/2 acre parcel of land for recreational or park area in conjunction with the school if the City so desires - was presented.

RESOLUTION NO. 104220, recorded on Microfilm Roll No. 44, approving Tentative Map of Allied Gardens, subject to the 11 conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 8 sections of the Subdivision Ordinance in connection with the Tentative Map of Clairemont Court, was presented.

RESOLUTION NO. 104221, recorded on Microfilm Roll No. 44, suspending sections 3E2, 3E5, 3J6, 3I1, 3F3, 4A8 and 6, 5C, in connection with the Tentative Map of Clairemont Court, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Clairemont Court, a resubdivision of portion of Block 115 Morena on which have been developed five demonstration houses, for the purpose of re-allocating the area for each of the residences to provide better building sites, was presented.

RESOLUTION NO. 104222, recorded on Microfilm Roll No. 44, approving Tentative Map of Clairemont Court, subject to the 5 conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, reporting on petition of William P. Kesling for amendment to and establishment of revised setback lines along Sea Rose Place, Calumet and Chelsea Avenues on the recently approved Final Map for the subdivision of the property lying westerly of La Jolla Boulevard and between Forward and Midway Streets, was presented. Said communication suggested that the matter be referred to the Attorney's Office for drafting of a proper Ordinance for a 0' setback along Sea Rose Place, and a 5' setback along Calumet Avenue, across Lots 31 through 43.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Planning Commission, signed by the Asst. Planning Director, reporting on petition of C. W. Carlstrom for rezoning, from R-4 to M-1, of the easterly 554.2 feet of Lot 5 Eureka-Lemon Tract, was presented. The property is located between Pacific Highway and the Santa Fe Railway tracks and southerly of Balboa Avenue. Said communication recommended denial of the petition, after the Commission had listed to the owner's representatives and protestants in the vicinity.

Accompanying the file was a communication, in the form of an appeal, from North San Diego Development Company, Inc., signed by C. W. Carlstrom, Vice President, 4205 Pacific Highway.

Carl C. Harvey, General Manager of the North San Diego Development Corp., said that he had hoped to have the company's attorney present to be heard at this time, but that he is unable to appear. Mr. Harvey requested a continuance of the "hearing" until November 20.

It was pointed out by individual members of the Council that this was not a hearing, and that none had been set, inasmuch as the matter was before the Council at this time for the first time as a report from the Planning Commission. Mr. Harvey was told that if the Council were to vote upon the question of having an ordinance prepared and a hearing set, his point might be lost, inasmuch as that motion might be voted down. It was suggested that it would be better to have the matter simply continued until the date requested, in order to hear the company's arguments upon the recommendation. Mr. Harvey agreed, when he heard views of members of the Council.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the Planning Commission's recommendation was continued until the meeting of Tuesday, November 20.

Communication from Mrs. Gladys Crouch Clark, P.O. Box #562, La Jolla, relative to a letter received by her concerning the President's picture hanging above the U.S. Flag directly above the mayor's desk in the Council Chamber, was presented. The communication stated that as flag chairman of the La Jolla chapter of the D.A.R. she can find nothing that shows discourtesy to the Stars and Stripes by having the President's picture above the flag, but expressed the opinion that it is not the best taste nor is it a custom to so place the picture, and pointed out that it is the custom of those serving a dictatorship and not generally practiced in a free nation ruled by law rather than by men. The letter said that the writer was expressing her personal views and not those of the D.A.R.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was ordered filed.

Communication from Assemblyman Ralph R. Cloyd, dated October 27, 1951, stating that Senator Hulse, Chairman of the Senate Interim Committee on Revenue and Taxation, is holding a hearing in San Diego on November 26 and 27, to obtain information re taxation on fishing vessels, was presented. Pointing out that the people of San Diego are proud to have the City known as the "Tuna Capital of the World", Assemblyman stated that, if the Council considers this a suitable problem for consideration, a resolution by the Council would be very valuable for him to have to present to the Committee at its hearing.

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

Communication from E. A. Kops, 2956 C Street, San Diego 2, dated October 27, relative to newspaper articles concerning the existence of the President's picture above "the nation's and the state's flag" in the Council Chamber, was presented. The communication stated that the writer did not feel as though any individual should be placed above the flag, the Constitution, or our ideals - and it suggested that members of the Council take a few minutes time and read the Declaration of Independence.

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

Communication from the County Grand Jury, 406 Civic Center, San Diego, dated October 26, 1951, signed by Ernest J. Boud, Foreman, was presented. Said communication forwarded to the Council a Resolution passed by the Grand Jury recommending consideration of the recommendation contained therein as a step in the right direction for solution of the problem of the child pedestrian traffic accidents. Also, it was recommended that a San Diego County Safety Traffic Council be formed (membership thereof set out in detail), that the Council devise a standard program of education on a County level with all school districts in the City and County of San Diego participating, that a position of County Safety-Traffic Council Coordinator be set up (method of paying therefor also specified).

On motion of Councilman Dail, seconded by Councilman Wincote, said communication was referred to the City Manager.

Communication from the San Diego Public Safety Committee, 2100 Fourth Ave., San Diego 1, dated October 26, 1951, signed by Hal H. Hobson, Secretary, urging acquisition of access rights and rights of way on each side of Mission Valley Boulevard, west of Sixth Street to Pacific Highway, as has been done east of Sixth Street, to prevent encroachments which would destroy the real purpose and intention of the freeway, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said communication was referred to the City Manager.

Communication from State of California, State Water Pollution Control Board, 305 Financial Building, 927 Tenth Street, Sacramento 14, dated October 24, 1951, signed by Vinton W. Bacon, Executive Officer, was presented. Said communication transmitted copies of each of the following releases and publications of the U.S. Public Health Service: (1) "Water Pollution in the United States," Water Pollution Series No. 1, 1951; (2) "California Drainage Basins - a Cooperative State-Federal Report on Water Pollution," Water Pollution Series No. 5, 1951; (3) News Release, dated October 24, 1951, announcing release of the report on the California Basin.

On motion of Councilman Godfrey, seconded by Councilman Swan, said communication was referred to the City Manager, together with the publications and news release which it transmitted.

Communication from "The Organic Health Foundation of America", dated October 29, 1951, signed by Joe A. Bishop, President; Elmer H. Grimm, Vice-President; Roby C. Day, Treasurer; Box 101 Hillcrest, San Diego 3, was presented.

Before the communication could be considered, C. Leon de Aryan asked to be heard. His request was granted, and he spoke. Mr. de Aryan said that he thought the matter of water fluoridation should be put on the ballot, and he objected to the Council action which ordered the City Manager to proceed with the fluoridation. Mr. de Aryan protested the Vice Mayor's ruling regarding a "spokesman" for the objection at the time of the recent hearing on the subject.

The Vice Mayor and members of the Council expressed their views on the procedure at the hearing. They said that the Council "cannot, and will not" reopen the hearing.

Mr. de Aryan spoke at length regarding previous State actions, etc., on the subjects of chiropractors and drugless physicians. He asked that the Council follow the

Fourth Amendment to the Constitution, to permit views of the public, and said that he wants to protect their rights.

Councilman Dail told Mr. de Aryan that his side of the question has the right to a referendum of the Council's action.

Councilman Godfrey said that Mr. de Aryan can consult his attorney, and get legal advice on procedure to oppose the Council's action.

Asked about the organization, Mr. de Aryan said that there are some 400 members of the Organic Health Foundation of America, San Diego Branch. He said that it has been organized recently, and has not had time to build up its membership.

The City Attorney was asked for a verbal ruling on the action of the Council. He replied that the Council's action is not illegal, and that the place to attack it is in court.

The letter referred to was read to the Council by the Clerk at this time.

Refuting Mr. de Aryan's statement, and the statement in the communication, Councilman Kerrigan said that both sides did have the opportunity to be heard.

It was pointed out that Mr. deAryan had left the Council Chambers during the hearing, immediately after he had made his speech. Mr. deAryan was told the additional time had been granted to both side, and that everyone desiring to speak had been heard.

Mr. de Aryan then asked for a delay in the fluoridation order, awaiting opportunity for presentation of a petition to place the matter upon the ballot.

Councilman Wincote said that action had been taken by the Council - the second day of after the hearing - after all information had been received on both sides of the question.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the matter was ordered filed.

RESOLUTION NO. 104223, recorded on Microfilm Roll No. 44, authorizing and directing the City Manager to execute a lease with Robert Cordtz Company, 1111 West Laurel Street, San Diego 1, of the southwesterly 10 feet of the southeasterly 50 feet of Pueblo Lot 299, for a term of 4 years at an annual rental of \$60.00, on conditions and terms set forth in form of lease filed in the office of the City Clerk under Document No. 440318, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilman Schneider. Absent--Mayor Butler.

After the roll had been called, Councilman Kerrigan, seeking to justify the City's position in leasing its lands for signboards, said that the site is in a C Zone.

RESOLUTION NO. 104224, recorded on Microfilm Roll No. 44, authorizing and directing the City Manager to execute a lease with La Mesa, Lemon Grove and Spring Valley Irrigation District, of portions of Lots 155 and 156 according to Amendment to Map of La Mesa Colony, Map No. 876 filed in the office of the County Recorder of San Diego County, containing approximately one and one-half acres, for a period of 5 years at an annual rental of \$50.00, as more particularly described and in accordance with terms and conditions set forth in form of lease filed in the office of the City Clerk under Document No. 440320, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The purpose of the lease is for operation of a recreational area, installation and operation of concession stand for sale of food, bait, fishing tackle, rental of outboard motors in connection with fishing, hunting and boating in Murray Reservoir.

RESOLUTION NO. 104225, recorded on Microfilm Roll No. 44, granting revocable permit to James W. Case, 832 Second Avenue, San Diego 1, to install and maintain a 1,000-gallon gasoline storage tank underneath the sidewalk at the northwest corner of Beech Street and Kettner Boulevard, adjoining Lot 7 Block 28 Middletown, to be located 11 feet 3 inches south of the Beech Street property line, being 2 feet north of the curb line on Beech Street, and 61 feet 4 inches west of the Kettner Boulevard property line, upon the various conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104226, recorded on Microfilm Roll No. 44, accepting quitclaim deed of Richard L. Baker and Helen M. Baker, bearing date October 5, 1951, quitclaiming Lot 2 and portion of Lot 3 Block 393 Old San Diego, authorizing and directing the City Clerk to transmit said quitclaim deed to the City Properties Department, together with a certified copy of said Resolution, for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104227, recorded on Microfilm Roll No. 44, accepting quitclaim deed of San Diego Gas & Electric Company bearing date September 21, 1951, quitclaiming Lot 3 Block 392 Old San Diego, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104228, recorded on Microfilm Roll No. 44, accepting quitclaim deed of Joseph Adam Bernica and Jean McLaren Bernica, bearing date October 6, 1951, conveying a portion of Lot 1 Block 393 Old San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard, authorizing and directing the City Clerk to transmit said deed, together with certified copy of

said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104229, recorded on Microfilm Roll No. 44, accepting deed of Helen C. Connors, bearing date October 5, 1951, conveying portions of Lots 2 and 3 Block 393 Old San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104230, recorded on Microfilm Roll No. 44, accepting deed of Jose Herrera and Emilia G. Herrera, bearing date October 11, 1951, conveying portions of Lot 1 Block 380 Old San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104231, recorded on Microfilm Roll No. 44, accepting deed of Luis Pedroza and Luz Pedroza, bearing date October 5, 1951, conveying a portion of Lot 1 Block 393 Old San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104232, recorded on Microfilm Roll No. 44, accepting deed of James P. Schreffler and Doris I. Schreffler, bearing date September 28, 1951, conveying a portion of Lot 4 Block 393 Old San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104233, recorded on Microfilm Roll No. 44, accepting deed of Hartnoll J. Withers and Marie Werner Withers and Andrew J. Werner, bearing date October 11, 1951, conveying portion of Lots 3 and 4 Block 392 Old San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104234, recorded on Microfilm Roll No. 44, accepting deed of Roy Sperry, also known as Clarence LeRoy Sperry, also known as Clarence LeRoy Orestes St. J. Sperry, and Winifred May Gunion, bearing date October 19, 1951, conveying portions of Lots 1 to 8 inclusive, Block "H" Turnbull's Subdivision, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabash Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104235, recorded on Microfilm Roll No. 44, accepting deed of Clyde W. H. King and Shirley M. E. King, bearing date October 17, 1951, conveying portions of Lots 9, 11, 13 and 14 Block 3 J. M. DePuy's Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabaska Drive, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104236, recorded on Microfilm Roll No. 44, accepting deed of Helen B. Bicknell, bearing date October 10, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 7 and 8 Block 2 Hollywood Station, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

ORDINANCE NO. 4964 (New Series), recorded on Microfilm Roll No. 44, creating the position of Harbor Master (Yacht and Commercial Basin) in the Classified Service of The City of San Diego, and establishing a schedule of compensation therefor, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Dail, Godfrey, Kerrigan. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Swan, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

In connection with said Ordinance No. 4964 (New Series), after the motion had been made to place it on its final passage, the Vice Mayor asked John Bate, Port Director, if he would tell the Council about the proposed Ordinance.

Mr. Bate spoke, and said that a need exists for the position. The wharfingers, he said, are so busy with their regular activities that they no longer have the time to the work of looking after the boats in the Harbor.

Asked if this is only a temporary matter, or a continuing job, Mr. Bate replied that it is planned to set up the classification as a permanent position. The Harbor Commission, he told the Council, feels that it is necessary in the best interests of Harbor operation, to provide for the position, and that the Commission had held off as long as possible.

The Vice Mayor asked Raymond Krah, Personnel Director, if he wished to add anything to what Mr. Bate had said. He replied that the rate number would be 17 - as fixed in said ordinance. He told the Council, also, that the same condition will probably arise at Mission Bay where the same type of position needs to be filled.

ORDINANCE NO. 4965 (New Series), recorded on Microfilm Roll No. 44, establishing the grade of the Alley in Block 63 Ocean Beach, between the westerly line of Cable Street and the easterly line of Bacon Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Dail, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4966 (New Series), recorded on Microfilm Roll No. 44, establishing the grade of the Alley in Block 1 Pacific Beach Vista Tract, between the westerly line of La Jolla Mesa Drive and the westerly line of Pacific Beach Vista Tract, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4967 (New Series), recorded on Microfilm Roll No. 44, establishing the grade of the Alley in Block F Referee's Partition Map of East 1/2 of Pueblo Lot No. 1110, between the northerly line of Adams Avenue and the southerly line of Collier Avenue, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4968 (New Series), recorded on Microfilm Roll No. 44, establishing the grade of Byron Street, between a line parallel to and distant 150.00 feet southeasterly from the southeasterly line of Shafter Street and the mean high tide line of the Bay of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4969 (New Series), recorded on Microfilm Roll No. 44, establishing the grade of Noyes Street, between the southerly line of Chalcedony Street and the southerly line of Beryl Street, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Swan, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4970 (New Series), recorded on Microfilm Roll No. 44, establishing the grade of Savoy Street, between the southerly line of Varona Street and the northerly line of La Paloma Street, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Swan, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The City Attorney requested, and was granted, unanimous consent, to present the following matters, not listed on the Council's agenda:

The City Attorney returned to the Council the following claims which had been referred to his office, with the verbal recommendation that the same be denied:

Claim of Mrs. Antonette Purdy, 4746 W. Pt. Loma Blvd., San Diego, in the sum of \$5,000.00, for damage to her property, being Lots 13 and 14 Block 28 Ocean Beach Park Annex, City of San Diego, known as 4746 W. Pt. Loma Blvd., for the dumping of sand water and debris thereon - including expense for moving of her house, removal of plants, shrubs, trees and grading of front of the lot, forms and foundation, repairs to the inside of the house caused by allowing water and sand bank to fill before the house was properly jacked up and veranda and room on side removed, requirements specified by City officials, loss or destruction of a large sump pump, destruction of pipeline for drainage from top level of lot, loss of revenue for 4 months, loss of contract purchaser - all having to do with filling of land in connection with the Mission Bay recreation project - was presented.

RESOLUTION NO. 104237, recorded on Microfilm Roll No. 44, denying claim of Mrs. Antonette Purdy, filed in the office of the City Clerk under Document No. 425985, in the amount of \$5,000.00, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Claim of Mrs. Antonette Purdy, 4746 W. Pt. Loma Blvd., San Diego, in the sum of \$5,000.00, for public ridicule which had been brought about by agents and employees of the City of San Diego through the San Diego Union Newspaper of August 3, 1950, and at an open meeting of the Chamber of Commerce at Ocean Beach during the week following - in connection with her property described as Lots 13 and 14 Block 28 Ocean Beach Park Annex - known as 4746 W. Pt. Loma Blvd., resulting from filling of land in connection with Mission Bay Recreation project - was presented.

RESOLUTION NO. 104238, recorded on Microfilm Roll No. 44, denying claim of Mrs. Antonette Purdy, filed in the office of the City Clerk under Document No. 425986, in the amount of \$5,000.00, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Claim of Edward Herman Schachtebeck and Catherine Ula Schachtebeck, c/o William A. Graham, 710 San Diego Trust & Savings Bldg., San Diego, in the sum of \$1,800.00, for damage to Lots 9, 10, 11, 12 Block 28 Ocean Beach Park Annex - known as 4756 and 4764 West Point Loma Avenue - resulting from dumping of sand and debris thereupon - including shrubs, barbecue pit, bulkhead, cement work, wooden shed - all having to do with filling of land in connection with the Mission Bay recreation project - was presented.

RESOLUTION NO. 104239, recorded on Microfilm Roll No. 4, denying claim of Edward Herman Schachtebeck and Catherine Ula Schachtebeck, filed in the office of the City Clerk under Document No. 425484 in the sum of \$1,800.00, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from San Diego USO Advisory Council, 521 B Street, which had been referred to Council Conference, was withdrawn and ordered filed.

The communication requested permission to install an illuminated bulletin board in the Plaza.

A notice from the Asst. to the City Mgr., attached to the communication states "this was discussed with the Council and Council granted permission to install an illuminated bulletin board in Plaza". However, no Resolution was adopted on the subject, or presented. Apparently the City Manager had received verbal direction from the Council to grant the permit.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Wincote, seconded by Councilman Kerrigan, at the hour of 10:40 o'clock A.M.

Upon adjourning, the Vice Mayor announced that the Council would meet in Conference session, immediately.

Arthur E. Schneider
Vice Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *August M. Skadstrom*
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, November 6, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:00 o'clock A.M.

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

In the absence of the Mayor from the City, the Vice Mayor presided.

The Minutes of the Regular Meetings of Tuesday, October 30, 1951, and of Thursday, November 1, 1951, were presented to the Council by the Clerk. On motion of Councilman Kerrigan, seconded by Councilman Swan, said Minutes were approved without reading, after which they were signed by the Vice Mayor.

Councilman Godfrey entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Loma Portal Lighting District No. 1, for a period of one year from and including June 28, 1951, to and including June 27, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared. Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$159.18 written by San Diego Trust & Savings Bank, which bid was given Document No. 440718.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 1, for a period of one year from and including June 15, 1951 to and including June 14, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared. Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$836.27 written by San Diego Trust & Savings Bank, which bid was given Document No. 440719.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 2, for a period of one year from and including July 1, 1951 to and including June 30, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared. Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$1572.08 written by San Diego Trust & Savings Bank, which bid was given Document No. 440720.

On motion of Councilman Swan, seconded by Councilman Dail, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing had been continued on Resolution No. 103788 of Preliminary Determination for improvement of Alley in Block 20 City Heights, for consideration of Resolution of Feasibility, the Vice Mayor announced that the hearing had been closed.

RESOLUTION NO. 104240, recorded on Microfilm Roll No. 44, determining that the proposed improvement of the Alley in Block 20 City Heights, within the limits and as

particularly described in Resolution No. 103788 of Preliminary Determination, is feasible and that the lands to be assessed will be able to carry the burden of proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing had been continued on Resolution No. 103891 of Preliminary Determination for improvement of Playa del Norte Street and Neptune Place, for consideration of Resolution of Feasibility, the Vice Mayor announced that the hearing had been closed.

RESOLUTION NO. 104241, recorded on Microfilm Roll No. 44, determining that the proposed improvement of Playa del Norte Street and Neptune Place, within the limits and as particularly described in Resolution No. 103891 of Preliminary Determination, is feasible and that the lands to be assessed will be able to carry the burden of proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 103999 of Preliminary Determination for the paving and otherwise improving of Myrtle Avenue within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been presented.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104242, recorded on Microfilm Roll No. 44, determining that the proposed improvement of Myrtle Avenue, within the limits and as particularly described in Resolution No. 103999 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104000 of Preliminary Determination for the paving and otherwise improving of Ninth Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Alta L. Burgert and from Wayne W. Andersen, which protests were presented.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

Alta L. Burgert spoke about the drain, which had been installed and paid for. She said that there is now a plan for constructing a surface drain, to be paid for again. She told of the contemplated 6-foot cut in front of her property, and of a wall which would be necessitated thereby, for which she would have to pay. Mrs. Burgert said that the cut and the wall would depreciate the value of her property. She protested installation of a "sloping drain". Mrs. Burgert said she wants the work done, but the engineering changed.

Wayne W. Andersen came to the microphone and said that his objections were the same as those voiced by Mrs. Burgert.

The City Engineer, asked for a report, said that it is not feasible to do what Mrs. Burgert asked. He said that the City could contribute to the cost of the drain, if the Council so directs. He did not agree with statements made regarding the grade.

RESOLUTION NO. 104243, recorded on Microfilm Roll No. 44, continuing the hearing on Resolution of Preliminary Determination No. 104000 for the paving and otherwise improving of Ninth Avenue, within the limits and as particularly described in said Resolution, until the hour of 10:00 o'clock A.M. of Tuesday, November 13, 1951; directing the City Manager to report to the Council at said continued hearing in the matter of the objections filed by Mrs. Alta L. Burgert and Mr. Wayne W. Andersen, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 103892 for the paving and otherwise improving of the Alley in Block 5 Chester Park Addition, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the proceedings were referred to the City Attorney for preparation and presentation of the next Resolution.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 103893 for the installation of sewers in Brodiaea Way, Carrizo Drive, Country Club Drive, Encelia Drive, Remley Place, Romero Court, Romero Drive and Public Rights of Way, within the limits and as particularly described in said Resolution,

the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the proceedings were referred to the City Attorney for preparation and presentation of the next Resolution.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2037, for the paving and otherwise improving of Oliphant Street and Chatsworth Boulevard, within the limits and as particularly described in Resolution of Intention No. 101049, the Clerk reported that no written appeals had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104245, recorded on Microfilm Roll No. 44, confirming and approving the Street Superintendent's Assessment No. 2037 for the paving and otherwise improving of Oliphant Street and Chatsworth Boulevard, within the limits and as particularly described in Resolution of Intention No. 101049; authorizing and directing the Street Superintendent to record in his office said warrant, diagram and assessment, to which he shall attach his warrant, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the installation of an ornamental lighting system in 30th Street, within the limits and as particularly described in Resolution of Intention No. 99509, the Clerk reported that no written appeals had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104244, recorded on Microfilm Roll No. 44, confirming and approving the Street Superintendent's Assessment No. 2038 made to cover the cost and expenses of the installation of an ornamental lighting system in 30th Street, within the limits and as particularly described in Resolution of Intention No. 99509; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record the same in his office, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2036 made to cover the costs and expenses of the work of paving and otherwise improving of Sequoia Street, Crown Point Drive and Pacific Beach Drive, within the limits and as particularly described in Resolution of Intention No. 100895; the Clerk reported that written appeal had been received from Thomas and Urith Lucas, which appeal was presented to the Council.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104246, recorded on Microfilm Roll No. 44, confirming and approving the Street Superintendent's Assessment No. 2036 for the paving and otherwise improving of Sequoia Street, Crown Point Drive and Pacific Beach Drive, within the limits and as particularly described in Resolution of Intention No. 100895; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record said warrant, diagram and assessment in his office, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the ornamental street lights located in University Avenue Lighting District No. 3, for a period of one year from and including August 7, 1951 to and including August 6, 1952, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104247, recorded on Microfilm Roll No. 44, confirming and adopting as a whole the Engineer's Report and Assessment for University Avenue Lighting District No. 3 filed in the office of the City Clerk September 28, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed ordinance adopting amendment to the Master Plan, affecting additions to and deletions from the Major Street and Highway Plan in the vicinity of Balboa Avenue and Pacific Highway, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected persons were present who desired to be heard.

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

ORDINANCE NO. 4971 (New Series), recorded on Microfilm Roll No. 44, adopting an amendment to the "Master Plan for The City of San Diego" as adopted by Ordinance No. 13116 approved January 26, 1931, particularly affecting additions to and deletions from the

the Major Street and Highway Plan in the vicinity of Balboa Avenue and Pacific Highway, was on motion of Councilman Kerrigan, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

At this time, the Vice Mayor inquired if anyone was present in the Council Chambers who wished to be heard on any other matter than the hearing set for the Dog Control Ordinance, listed next on the agenda.

No one responded to his invitation to be heard, so he directed that the hearing proceed on the ordinance, at this time - 10:25 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance regulating the keeping of Dogs within the City of San Diego, the Vice Mayor opened the hearing by giving the floor to Dr. A. A. Marlow, president of San Diego Medical Society.

Dr. Marlow spoke in behalf of the Board of Directors of the Society, and told the Council that the rabies vaccination requirement section of the proposed Ordinance had the Board's endorsement and support. He told of Pasteur treatment, which he said is successful if given in time, but that it can be dangerous.

The Vice Mayor asked that there be no demonstrations, in the interest of an orderly procedure and facilitating the carrying on of the hearing.

The proposed Ordinance was read by the Clerk, from a copy, in full, without interruption or discussion.

The Vice Mayor pointed out that the Ordinance as read is a tentative and suggested form.

Councilman Dail felt that the penalty clause had been mis-read. The Clerk re-read the section.

The opposition was invited to speak at this time, and the Vice Mayor requested brief testimony if possible. He allocated 1/2 hour to each, for the remaining hour of this morning's session.

Harry G. Hart, 3119 Herman Avenue, spoke in behalf of the Pomeranian group. He opposed the compulsory inoculation of small breed dogs. Small dogs, he said, do not roam but stay in the house where they are not in contact with other dogs. He contended that inoculation would kill the small dogs.

Mrs. Frank Wells, 4367 Arista Drive, spoke against vaccination, stating that she had seen dogs break out with sores, and die as a result.

Gertrude Fournier, Spring Valley, spoke for the Collie Club of San Diego. She expressed opposition to the rabies inoculation provision. Also, she protested the noise section.

Ed Riley, 4209 Maryland Street, representing the Central Labor Council, A.F.L., spoke against leashing and confinement of dogs. Confinement, he said, would make dogs mean, perhaps kill them.

Mrs. E. H. Dowell, 1453 - 2nd Avenue, represented the California S.F.P.C.A. She expressed opposition to the vaccination provision, but spoke for the leashing and proper confinement of dogs. She quoted from a San Diego Union article regarding the number of bites and rabies cases. It was her belief that the compulsory vaccination clause cannot be enforced. She said that rabies can spread to all 4-footed animals, the source and cause being unknown and a mystery. She said that if the dogs are caught at large they should then be vaccinated, but does not want compulsory vaccination of all the dogs.

Mrs. Foote (did not give her initials), 6950 El Cajon Boulevard, who identified herself as a kennel owner, spoke in behalf of the Kennel Association. She opposed the noise section of the Ordinance, if action could be brought against an owner as a result of complaints of only one neighbor.

Mrs. Wm. Lynch, 822 Niantic Court, spoke "for neighbors". She asked for a time to permit the exercising of large dogs off a leash. She spoke about the brief barking of dogs, and said that should not be held against them.

Mrs. Ethel Brown, 2930 - 33rd Street, spoke against confinement.

Harris Goodwin, 122 Evergreen Avenue, spoke against enforced confinement. He said that dogs are often let out of gates by other than their owners. He spoke about barking dogs, and said he does not protest the barking of the dogs owned by his next door neighbor. He said that his own dogs bar against stray cats which enter his premises. He also protested enforced medication of dogs.

Rose I. Fielding, 6755 Rosefield Drive, opposed vaccination, and told of only one person who had protested barking but who had caused trouble as a result.

Irwin Gress, 1435 West Camino del Rio, represented the Boxer Association. He pointed out that dogs have to be off the leash during obedience training, and said that leashing provisions should not be included in connection with show dogs.

The Vice Mayor then asked those who favored the Ordinance to be heard at this time.

Lowell Davies, San Diego County Dog Owners' Protective Association, spoke. He said that it is difficult to endorse the entire Ordinance. He said he was speaking as a representative of City and County owners. He said that there are 35 recommended changes and recommendations, which he proposed to submit in writing. He said he felt that the problems can be resolved.

Councilman Wincote asked Mr. Davies to return later in the hearing and read his prepared statement to the Council.

Ernest Chesem, 3605 Dove Court, said he wants his property protected. He read a facetious letter from a neighbor addressed to Mrs. Chesem, protesting presence of her dog on the writer's property. He said he wants his neighbor's dogs kept off his property - wants "to be protected".

Ernest During (the Clerk is unsure the name), Secretary of United Tax Payers Association, told of various groups whose properties are damaged by the existence of dogs, early and late. He also spoke of dog nuisances in the parks. He said that there should be paddocks to train dogs in the park. He said that dogs on beaches can be offensive. He asked for "equality", for people to enjoy themselves.

Mrs. L. G. Melvin, who resides on 69th Street, said that she favored every part of the Ordinance as written and as read.

Fred W. Payton, 738 Temple Street, representing Aeronautical Lodge, A.F.L., told of injury to his property by dogs. He asked the Council to deal with facts, not with sentimentality such as "wars", reference to "veterans", etc. He said he had followed dogs back to their owners' properties from as far away as 11 blocks. He asked the Council to "go as far as we can".

Mrs. Sybil Jenkins, 506 Palm Street, said she does not want to clean up after other owners' dogs.

Mrs. L. O. Jenson, representing Frontier Coordinating Council, talked about confining dogs, and said that fences are not permitted in housing projects. She said, however, that everyone should keep his dogs under control - each in its own yard, or on leash. She said she favored the inoculation.

Mrs. Lucinda Hayter, 2767 Market Street, said that there are 5 and 6 dogs in her back yard at one time. She told of destruction of her premises by the strays.

Miss Alice M. James, 3454 - 3rd Avenue, opposed the excessive noise of neighbors' dogs. She said she cannot keep tenants on account of barking dogs.

C. P. Winn, 5405 - 52nd Street, spoke about "non-stopping" barbers in his neighborhood. He said as a result he loses rentals.

Mrs. H. Faugner, 3567 Front Street, favored the rabid clause. She told of her son having been bitten years ago, and of his nervous condition resulting from the needed Pasteur treatment.

Mrs. Estelle Henderson, who identified her residence at 5th Avenue between Beech and Cedar Streets. She said that it is a good ordinance, but that it does not go far enough. She protested women carrying small dogs into grocery stores.

A woman (whose name sounded to the Clerk like Mrs. Banarks, but who did not give her initials), 5138 Manchester, spoke against roaming cats.

Mrs. Dowell spoke again for leashing. To let dogs run at large, she contended, is inhumane. She said that dogs in the street endanger motorists who have to avoid them, and who have been known to injure humans in swerving to avoid the dogs. She said that owners of dogs at large are "potential murderers". Mrs. Dowell told the Council that she had picked up 89 dogs in 9 months which had been struck by cars.

At the hour of 11:55 o'clock A.M., the Vice Mayor declared a recess until the hour of 2:00 o'clock P.M. this date.

Upon reconvening, at the hour of 2:00 o'clock P.M., the roll call showed the following:

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

In opening the second period of the hearing, the Vice Mayor spoke to those who had not been in attendance in the morning, and told of what had taken place. He then opened the hearing to opponents of the Dog Control Ordinance.

Speaking in opposition to the Ordinance, were:

Frances Fraser, 3847 - 40th Street, who identified herself as an SPCA officer. He urged confinement of dogs, but protested the compulsory inoculation. She said that there had been no human rabies cases resulting from "dogs coming across the Border", referring to an earlier statement attributed to Dr. Askew.

Councilman Godfrey entered the meeting at this time.

Mrs. Fraser continued speaking, and said that she does not oppose voluntary vaccination. Also, she said that she wants lost or strayed dogs harbored. She wanted to make efforts, which she said she does, to locate owners of dogs instead of impounding and wanted "Section 572" enforced.

Lowell Davies returned and read from his prepared statement entitled "Amendments proposed to a proposed Ordinance to provide for a City Pound and the impounding of certain animals; for licensing, regulation and care of dogs". He said a workable ordinance with proper regulations. He went through the proposed amendments, item by item, covering Title I limiting the police powers of the Park and Recreation Director and his employees; Sec. 2 of same Title 1, covering badges or identification, and said that there should be definite identification. Impounding method and disposal procedures were suggested. He asked in connection with pound fees under Section 4 that there be added a section covering fees even where the dog had been disposed of. In Title II Section 1 he asked for exemption of dogs and kennels where dogs are for sale, stating that dogs are merchandise until sold. Vaccination in Section 4 was approved. He suggested amendment in Section 7 to provide license fees of \$2.00 and \$3.00. On page 7 of the Ordinance, Sec. 2 "Dogs at Large" he suggested amendment regarding training trials and shows, for exemption. Section 3 under same Title (IV) he asked to have amended regarding lost dogs, for notification or surrender. Section 4 same Title Barking Dogs, he asked to have deleted, contending that the matter can be handled under "nuisance" laws, and said it was superfluous. Section 5 same Title Vicious Dogs, he asked to have amended providing for proof and addition of "annoying of dogs". In Title V Sec. 3 under quarantine, he wanted the owner to be permitted to impound the dog himself he he desired. He asked to have "6 or more" dogs to constitute a kennel, asked for change in the section on kennels' locations, and the communicable diseases to have included "isolate and treat". In Title VII Sec. 2 he referred under "receipts" to deputies and employees, and said all should not be included. He asked for addition of a new section Title VIII relative to Vivisection, prohibiting the Pound-

master or deputies, or anyone else from selling, giving or delivering or aiding therein for purpose of vivisection or of surgical or of medical experimentation.

Mr. Davies was thanked for his his constructive suggestions, which were filed with the Clerk who endorsed the document later and designated it "Document No. 440742".

Mrs. Fraser spoke again, about fees.

Eleanor Lovell, 4312 Witherby Street, referred to dogs becoming troublesome from being confined. She asked the Council not to force their confinement, but to let them run with the boys. Many people, she said, cannot afford fences, and the City cannot afford the uniformed personnel to enforce the ordinance. People, she contended, will break the law, and said that they cannot obey it, if passed.

Mrs. Dowell concurred with statements of Mrs. Lovell relative to breaking the law.

Margaret Osborn, whose address was not given, spoke about accidents resulting from loose dogs. She urged vaccination.

Kathleen Merrill, 4570 Pacific Highway, spoke for dogs on leash, but opposed compulsory vaccination. She said she had owned a \$500.00 show dog which had died as a result of rabies shots.

Mrs. George Seymour, 522 Arenas, said that she opposed everything in the new ordinance which is not already a law. She told the Council about a neighbor who sling-shots her dog. She said that it seems strange that her dog, and other dogs bother that man only. She said that if a dog is kept on a leash he cannot save lives, as she pointed out that dogs often do. She said she opposed the "nuisance" law.

Mrs. Frazier Curtiss, of Los Angeles, opposed leashing, and said that it would spoil the value of a watchdog.

Mrs. A. M. Foote spoke again. She is the woman who spoke in the morning as a kennel owner. She said she sells dogs and leashes, and said that the leashing problem can be solved by use of a long leash.

Mrs. Oscar Knauer, who resides on Montecito, asked for increases in the license fees on females.

Mrs. Wells spoke again, and said that if the ordinance goes through, a great many people will have to let their dogs go.

Mrs. Alice Fisher, 204 West Walnut Street, said that dog lovers will think of other places to live, if the ordinance is passed. She expressed the belief that enforcement of the ordinance would constitute interference with rights of individuals.

Evelyn S. Kobelin, 3827 Falcon Street, said that "cause of grief is loss of education." She told of dogs being tied in the heat, leading to their being noisy, and resulting in neighborhood grief. She told of stupidity on the part of many owners. She said that dogs die from rabies inoculations.

Charles Hunter, 4348 Mississippi Street, said that as a long-time owner of large hunting dogs, one might as well kill the large hunter as to tie him up.

Mrs. Etienne Dormory opposed the annual vaccination provision, and asked modification of the leash provision.

Loretta Seville opposed vaccination, and said that she cannot put up a fence.

The proponents were heard next:

Mrs. George E. Bennett, 551 South 35th Street, identified herself as the daughter of the most famous dog man in the United States, who she said had been editor of American Field, and a judge in shows covering many parts of the country. Mrs. Bennett said that people are not going to stand for rabies. She made reference to only one case of rabies in Los Angeles. Rabies, she said can be controlled. She quoted figures of bitings in San Diego. Also she told of dogs killed, which are struck by cars, and poisoned, and of the impounding of dogs. Mrs. Bennett said all results in expense to the taxpayers. She stated that the City Prosecutor has reported that 1/2 of the cases are in connection with dogs, and that there are 8 to 10 a day. 95% of people who have written into the Council on the subject, she contended, are in favor of dog laws. The other 5%, she said, berated somebody. She said "many hate people in the protection of dogs". Mrs. Bennett said that the City does not let goats bleat, pigs grunt, but that it does permit dogs to bark. She asked for increase in the license fee on female dogs to \$4.50 or \$5.00.

Mrs. Joseph Strachan, of Pacific Beach told of State law Code 384 regarding females on streets. She favored control of female dogs.

John R. Lamb, a Pershing Avenue resident, spoke of being bothered by neighbors' dogs. He went into the difficulty surrounding complaints against owners of offending dogs. Some, he said, will not go into court as witnesses on the complaints. Mr. Lamb said he felt that the proposed ordinance is good, except for the compulsory vaccination.

Grant Webster, 3689 Boundary Street, favored enactment and enforcement of the leash law.

Mrs. Osborn, 3976 Riviera Drive spoke about the danger to utility men who have to enter yards, even where the dogs are kept fenced. She said that long leashes would permit workmen to enter yards, where necessary. She said that the compulsory vaccination provision should stay in the ordinance.

C. E. Means, 5137 Mission Boulevard spoke about people bringing home cute puppies, which grow up to be nuisances. He said that dogs are no better than people where vaccination is concerned.

Mrs. P. C. Dueholm, 4275 Arguello Street, spoke for limitations on barking. She said she had not had a night's sleep since a new dog came into the neighborhood.

Harris Goodwin spoke again, and said that people should be responsible for their dogs. He said that the ordinance should be clarified, to permit dogs to run while with their owners.

Earl A. Brenneman, 4421 - 36th Street, said that the question is the enactment of an enforceable dog ordinance to keep dogs off the streets.

Bob Thwaites, 5th and Brooks, said he owns 8 flats at that point. Mr. Thwaites said he wants "teeth" in the proposed ordinance. He advocated a raise in license fees, especially for females. Lots of people, he said, have dogs when they cannot afford them and said that they are often improperly fed and that they go rummaging around other people's properties for food and into garbage cans.

Minnie Jane, 4660 - 30th Street, said that dogs live out of garbage and trash cans, and asked for adoption of the Ordinance.

Councilman Kerrigan was excused at this time.

Carl Stratmann, 4482 Park Boulevard, said that he has several pets. He told of his grandson having been bitten by a neighbor's dog which came into his yard, when the youngster bent down to embrace it. He said that he had built a fence for dogs, but that the puppies had dug underneath it. He said that is now being controlled by fastening the dogs to a long leash. He asked for more rigid control on dogs, generally.

Councilman Kerrigan returned to the meeting at this time.

Dr. Askew spoke again, at the request of the Vice Mayor. He said that the City still has rabid dogs, and that it is still picking up dogs. He said that there are two groups: those who don't want restrictions in any way; those who want no interference from dogs. He said that ~~it is~~ his responsibility, as Health Officer, is toward rabies control. Dr. Askew said that in 1949 there were 1845 bites reported and investigated in the City. All that, he said, costs money. He said there is an unsatisfactory situation now. He told of characteristics of dogs in the rabies states. He opposed voluntary impounding by the owner of any dog which has bitten a person, because he said that in one of the rabies stages the dogs run and thereby easily escape confinement. The Doctor told of 1850 bites in 1950, with 10 "positive" dog heads. He said that there is a lax local control program, and that he is ashamed of the local record. He told the Council that he is ashamed to face other health officers with our record. There were 1283 bites reported and investigated in the first 9 months of 1951, with one "positive" dog head. He emphasized that rabies can be controlled - simply by allowing no dogs on the street, but that that is not feasible. He said that it is possible to control rabies by inoculation of a high percent of dogs. He said it is his responsibility to recommend control. Dr. Askew told about rabies control work being done by World Health Organization, and of a new virus vaccine. He said that there have been 4 years of carefully controlled virus research, and that the vaccinations offer protection from 18 months to 2 years. He said it is the coming control method. Dr. Askew said that there is no immunization known which is good for life, and that all have to be repeated at intervals. He told the Council that he is going to ask for an enlarged Pound staff to take care of early morning dog pick ups. He asked for adoption of the Ordinance. He said, also, that he would appreciate the opportunity of studying suggestions made by Mr. Davies in his written recommendations.

Councilman asked Dr. Askew about the biting dogs and number of treatments given as a result thereof.

Dr. Askew said there was no way of determining how many treatments have been given. Treatments, he said, are given by a variety of places, including the Navy Hospital and others where records are not readily available. He emphasized that there have been no cases of human rabies deaths locally since 1934.

Councilman Dail asked if every rabid animal will produce rabies.

Dr. Askew's answer to Mr. Dail's question was "no". He amplified his statement by saying that there are probably 175 to 250 treatments per year. Again, he said he has no definite figures.

Councilman Godfrey asked if other cities have compulsory vaccination for dogs.

Dr. Askew replied "yes".

Councilman Wincote asked about the effect of vaccination upon toy dogs.

Dr. Askew answered that he is not a veterinarian, and that he does not know. He said that Dr. E. R. Quortrop was present, and asked the Council to direct questions to him.

Dr. E. R. Quortrop said that there are no unfavorable results. He said that there will be irritation, but no fatalities. He said that of course the vaccine is used in various doses, with small doses for the toys.

Mrs. Wells arose to ask why dogs died from vaccination.

Dr. Quortrop said he had never seen a dog die from use of vaccine.

Councilman Godfrey asked Dr. Quortrop how many dog vaccinations he had observed without death.

Dr. Quortrop's reply was between 2000 and 3000, probably, and with no deaths.

Councilman Godfrey moved to close the hearing.

Councilman ^{Swan} asked the Council not to rush in closing the hearing. He said he, too, wished to ask a question. He asked if other animals are causing rabies.

On motion of Councilman Godfrey, seconded by Councilman Dail, said hearing was closed.

RESOLUTION NO. 104248, recorded on Microfilm Roll No. 44, referring the matter of the proposed Ordinance regulating the keeping of Dogs to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104249, recorded on Microfilm Roll No. 44, referring the suggestions made by Lowell Davies in writing, under Document No. 440742, being proposed amendments to the proposed ordinance regulating dogs, in behalf of San Diego County Dog Owners' Protective Association, submitted to the Council at the hearing conducted November 6, 1951, to the City Manager for study and recommendation to the Council in Conference, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Submitted at the hearing were communications (individuals and groups of persons) bearing 98 signatures. No action was taken on the communications, at this time. The letters were taken to the City Manager's office for his information in connection with his report and recommendation to the Council.

Claim of H. R. Breeden, 611 N. Willow St., Compton, Calif., or 7309 El Cajon Blvd., La Mesa, in the sum of \$725.03, for damage done in execution of contract for sewer construction in Montezuma Canyon, by bursting of 12" c.i. iron water main at intersection of Montezuma Road and Yerba Santa Drive, was presented.

RESOLUTION NO. 104250, recorded on Microfilm Roll No. 44, referring claim of H. R. Breeden to Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Claim of Reno N. Wheatcraft, 5131 Manchester Road, San Diego 15, in the sum of \$8.50 for expense incurred in having automobile lifted from ditch in front of his residence, was presented.

RESOLUTION NO. 104251, recorded on Microfilm Roll No. 44, referring claim of Reno N. Wheatcraft to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104252, recorded on Microfilm Roll No. 44, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of Congress Street storm drain, Old Town, under Document No. 440645, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Petition of Purcell Webb, 1921 Bacon Street, applying for Class C Dine & Dance license at Webb's Canteen, said address, was presented together with recommendation from interested City departments for granting.

RESOLUTION NO. 104253, recorded on Microfilm Roll No. 44, granting application of Purcell Webb for Class "C" license to conduct public dance at Webb's Canteen Cafe, 1921 Bacon Street, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City Manager reporting on claim of Arnold J. Fernandes for moving and impounding automobile legally parked, on Pacific Highway, was presented. The City Manager's report attached report from the Chief of Police stating that 16 cars should not have been moved despite the contractor's request therefor, in connection with resurfacing the street. Reference to the insurance company was recommended.

RESOLUTION NO. 104254, recorded on Microfilm Roll No. 44, referring claim of Arnold J. Fernandes to the Pacific Indemnity Company, and to the City Attorney, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City Manager reporting on communication from Assemblyman Frank Luckel, attaching copy of his reply relative to repeal of the present joint tenancy law, was presented. No recommendation was made by the City Manager on Assemblyman Luckel's request for adoption of a Resolution on the subject.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the matter was ordered filed.

Communication from the City Manager recommending installation of 10 Overhead Street Lights, was presented.

RESOLUTION NO. 104255, recorded on Microfilm Roll No. 44, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

- 58th Street at Trojan Avenue;
- 58th Street at Spartan Avenue;
- 58th Street at dead end south of Spartan Avenue;
- Vale Way at Trojan Avenue;
- Vale Way at dead end south of Trojan Avenue;
- West Overlook Drive at Trojan Avenue;
- West Overlook Drive 1/2 block south of Trojan Avenue;
- West Overlook Drive at East Overlook Drive and Corinth Street;
- Spartan Circle at Spartan Drive;
- Spartan Drive at Orange Avenue,

was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Manager reporting on communications from Mrs. C. W. Lindstrom, 2536 "B" Street, Apartment I.; Miss Carol Reid, 3528-1/2 5th Avenue, San Diego 3; Delores J. Greutman, 3633 Ocean Front, San Diego, attaching replies received by him from the San Diego Transit System relative to complaints on bus service and fares, and attaching copies of his replies to the 3 correspondents, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the City Manager's communication and the other documents to which it refers, were ordered filed.

Communication from the City Manager reporting on communications from Mrs. Ella Morrow, 7424 La Jolla Boulevard, La Jolla, regarding use of covered load packer refuse trucks, attaching copy of his reply to the effect that the City has taken delivery of 3 of the suggested type trucks and that more will be purchased as rapidly as the City is able to absorb the cost, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the City Manager's communication was ordered filed, together with the communications referred to.

Communication from the City Manager reporting on communication from William Vatter, 2719 - 30th Street, San Diego 4, regarding need for new bridge on 30th Street, was presented.

Accompanying the report was copy of reply addressed to Mr. Vatter by the City Manager stating that a constant check is being kept on the bridge to make certain that it does not become a hazard, and that until such time as the bridge is replaced it will be maintained in a safe and economical manner.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on annual report of City promotional activities submitted by San Diego Chamber of Commerce for the previous fiscal year, stating that the terms of the contract have been fulfilled, and recommending filing, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from State of California, Department of Public Health, submitting tabulation of "Federal grant-in-aid funds for allocations for local Health Departments, fiscal year 1951-52", was presented.

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

Communication from San Diego County Medical Society, dated October 25, 1951, signed by Arthur A. Marlow, M.D., President, in behalf of the members, expressing appreciation for Council action approving fluoridation of water, and stating that the action will benefit citizens of San Diego for years to come, was presented.

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

Communication from Mrs. Ernest F. Von Dreden referring to her claim previously denied, relative to damage from tree roots in sewer, also referring to the City Manager's report on the subject of disclaiming City responsibility, was presented. The communication states that Mrs. Von Dreden expects to be reimbursed for her \$42.53 expense in having the line cleared of the obstruction.

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

The City Manager said that although he had already reported in the matter and had written to Mrs. Von Dreden, he would do so again.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated October 31, 1951, stating that claim of John H. Good and Mabel Carter Good, 1411 Torrey Pines Road, in the sum of \$78.23 for fixing break and renewing water lines broken by City personnel, had been paid, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said matter was ordered filed.

RESOLUTION OF AWARD NO. 104256, recorded on Microfilm Roll No. 44, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract for the paving and otherwise improving of the Alley in Block 149 University Heights, within the limits and as particularly described in Resolution of Intention No. 103515, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

A written report from the City Engineer stated that the low bid was 4.9% above his estimate.

Councilman Kerrigan called the Council's attention to the bid being above the estimate, and asked about it, after the Resolution had been adopted.

The City Manager replied that if the bid is more than 10% above the estimate it is recommended that the bid be rejected, in accordance with Council policy.

Councilman Kerrigan said he felt that the Council ought always to know when bids are above the estimate. Mr. Kerrigan's attention was directed to a note on the agenda made by the Clerk giving that information to the Council, and it was stated by the Clerk that such information is always included on the Council's agenda.

RESOLUTION NO. 104257, recorded on Microfilm Roll No. 44, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 13 Point Loma Heights, also approving Plat No. 2306 showing the exterior boundaries of the district to be included in the assessment therefor, directing the City Clerk to file said plat in the office of the City Engineer upon passage of the Resolution of Intention, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104258, recorded on Microfilm Roll No. 44, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Tourmaline Street, Opal Street, and Loring Street, approving Plat No. 2250 showing the exterior boundaries of the district to be included in the assessment therefor, directing the City Clerk to file said plat in the office of the City Engineer upon passage of the Resolution of Intention, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 104259, recorded on Microfilm Roll No. 44, for the furnishing of electric current for the lighting of the ornamental street lights located in Five Points Lighting District No. 1, for a period of one year from and including August 5, 1951, to and including August 4, 1952, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 104260, recorded on Microfilm Roll No. 44, for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 1, for a period of one year from and including August 7, 1951, to and including August 6, 1952, in accordance with Engineer's Report and Assessment filed September 21, 1951, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104261, directing notice inviting sealed proposals, recorded on Microfilm Roll No. 44, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 4, for a period of one year from and including August 1, 1951, to and including July 31, 1952, in accordance with Engineer's Report and Assessment filed September 7, 1951 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104262, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of the Alley in Block 13 Point Loma Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104263, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of Tourmaline Street, Bayard Street, Opal Street and Loring Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 104264, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of the Alley in Block 41 Ocean Beach, and Ebers Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 104265, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of the Alley in Block 3 Wilshire Place, and Meade Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 104266, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of Palermo Drive and Alcott Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104267, recorded on Microfilm Roll No. 44, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District Number One, for a period of one year from and including December 1, 1951, to and including November 30, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104268, recorded on Microfilm Roll No. 44, for the furnishing of electric current for the lighting of the ornamental street lights located in Logan Avenue Lighting District Number One, for a period of one year from and including November 16, 1951, to and including November 15, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104269, recorded on Microfilm Roll No. 44, for the furnishing of electric current for the lighting of the ornamental street lights located

in Montemar Lighting District Number One, for a period of one year from and including December 16, 1951, to and including December 15, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104270, recorded on Microfilm Roll No. 44, for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District Number One, for a period of one year from and including November 5, 1951, to and including November 4, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104271, recorded on Microfilm Roll No. 44, for the closing of portion of Shafter Street, as particularly described in said Resolution, determining that it is not deemed necessary that any land be taken therefor, setting out the exterior boundaries of the district of lands to be affected by the work and improvement and to be assessed therefor, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104272, recorded on Microfilm Roll No. 44, appointing time and place for hearing protests, and directing notice of hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District No. 1, for a period of one year from and including September 15, 1951, to and including September 14, 1952, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104273, recorded on Microfilm Roll No. 44, granting petition contained in Document No. 439718 for the construction of sidewalks on the east side of Noyes Street, directing the City Engineer to amend proceedings for improvement of portions of Noyes Street, Olney Street and Felspar Street in accordance with his recommendation filed in the office of the City Clerk under Document No. 440618, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104274, recorded on Microfilm Roll No. 44, authorizing the City Engineer to amend proceedings for improvement of portions of Quimby Street and Plum Street, in accordance with his recommendation filed in the office of the City Clerk under Document No. 440241, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104275, recorded on Microfilm Roll No. 44, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Dodson Street, within the limits and as particularly described in Resolution of Intention No. 102943, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104276, recorded on Microfilm Roll No. 44, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alleys in Block 1 Ocean View, and Block 1 Sunset Grove, and Brighton Avenue, within the limits and as particularly described in Resolution of Intention No. 102544, directing the City Clerk at the same time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104277, recorded on Microfilm Roll No. 44, approving diagram of the property affected or benefited by the work of improvement on the paving and otherwise improving of 33rd Street, Beech Street and Date Street, within the limits and as particularly described in Resolution of Intention No. 101860, and to be assessed therefor, directing the City Clerk at the same time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104278, recorded on Microfilm Roll No. 44, approving change order No. 5 dated October 10, 1951, filed with the City Clerk as Document No. 440664, issued in connection with contract with Cox Bros. Construction Co., for improvement of Montezuma Road, which contract is contained in Document No. 327013 on file in the office of the City Clerk, changes amounting to an increase in contract price of \$225.00, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104279, recorded on Microfilm Roll No. 44, approving change order No. 6 dated October 25, 1951, filed with the City Clerk as Document No. 440666,

issued in connection with contract with Cox Bros. Construction Co. for improvement of Montezuma Road, which contract is contained in Document No. 437013 on file in the office of the City Clerk, changes amounting to increase in contract price of \$558.00, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104280, recorded on Microfilm Roll No. 44, approving change order No. 1 dated September 20, 1951, filed with the City Clerk as Document No. 440668, issued in connection with contract with H. H. Peterson for construction of 5 sewer crossings across Torrey Pines Road, between Viking Way and Ardath Road, contained in Document No. 437785 on file in the office of the City Clerk, changes amounting to increase in contract price of approximately \$883.00, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104281, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to do all the work in connection with the widening of the north side of Imperial Avenue, easterly from Merlin Drive, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by City forces more economically than if let by contract.

RESOLUTION NO. 104282, recorded on Microfilm Roll No. 44, authorizing and directing the City Manager to make application to the Board of Supervisors of the County of San Diego, and to take all necessary steps to acquire from the State of California tax-deeded Lots 51 and 52 Pacific View Homestead Subdivision, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104283, recorded on Microfilm Roll No. 44, authorizing the City Manager to execute on behalf of The City of San Diego a lease of the Police Headquarters Building gymnasium upon terms and conditions contained in form of lease as attached to said Resolution on file in the office of the City Clerk under Document No. 440745 - for use of the vocational students of the San Diego Unified School District during the hours from 8:00 A.M. to 2:30 P.M., Monday through Friday, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104284, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to execute an agreement employing Roland S. Hoyt as Landscape Consultant for the term of one year beginning July 1, 1951 and ending June 30, 1952 at \$35.00 per day for not to exceed sixty days in any fiscal year, and providing for extension of the term for like periods by Council resolution, upon terms and conditions set out in form of agreement on file in the office of the City Clerk as Document No. 440746, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104285, recorded on Microfilm Roll No. 44, granting permission to The Disabled American Veterans, Chapters 2 and 70 to conduct annual Forget-Me-Not sale on the streets November 9 and 10, 1951, and at Balboa Stadium November 11, 1951, for the purpose of raising funds to support their rehabilitation work among needy veterans and their families, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104286, recorded on Microfilm Roll No. 44, granting revocable permission to Pacific Telephone Company to install and maintain an electrical conduit under and across the Alley in Block 5 Nutt's Subdivision, for furnishing light and power service to said Company's building at 629 University Avenue, on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104287, recorded on Microfilm Roll No. 44, granting permission to Virginia R. Vandegrift and Clarence C. Vandegrift to connect sewer serving their new construction at 3264 Bayside Walk to the present sewer already installed on the property, to be connected with existing sewer to serve new residence under construction at 3264 Bayside Walk in Lot B Block 105 Mission Beach, subject to approval of the San Diego Health Department and City Manager, subject to property remaining in one ownership and upon condition that The City shall be held free and clear of any claim for damages resulting therefrom, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104288, recorded on Microfilm Roll No. 44, ratifying and approving expenses incurred by Homer C. Lovell, Fire Marshal, Fire Department, on trip to Los Angeles for the purpose of attending the National Fire Protective Association, held

October 29 and 30, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104289, recorded on Microfilm Roll No. 44, ordering the vacation of easements for storm drain purposes lying within Lots 17 and 18 Block 15 La Jolla Park, conveyed to The City of San Diego by W. F. Ludington and Dido K. Ludington by deed recorded April 25, 1928, in Book 1473 Page 300 of deeds, and by Lida Scripps by deed recorded November 21, 1929 in Book 1718 page 57 of deeds, more particularly described in said Resolution, which said easements have not been used for the purposes for which they were acquired since the date of acquisition, and which are unnecessary for present or prospective public use, declaring that from and after the date of this order title to land previously subject to the easements shall revert to the owners of the land free from the rights to the public; authorizing and directing the City Clerk to cause a certified copy of said resolution, to be recorded in the office of the County Recorder, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104290, recorded on Microfilm Roll No. 44, ordering the vacation of easement for sewage settling tank or tanks, cess-pools, pipelines, tile or other drains, connections and appurtenant structures and installations over and across Lots 13 and 14 Block 21 Valencia Park Unit No. 2, conveyed to The City of San Diego by deed of Roy C. Lichty and Alice M. Lichty, dated August 13, 1937, recorded December 2, 1937 in Book 728 page 141 Official Records in the office of the County Recorder of San Diego County, which easement has not been used for the purpose for which acquired for more than five consecutive years next preceding the date of said resolution, which easement is unnecessary for present or prospective public use, declaring that from and after the date of this order title to the land previously subject to the easement shall revert to the owners of the land free from the right of the public; authorizing and directing the City Clerk to cause a certified copy of said resolution, to be recorded in the office of the County Recorder, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104291, recorded on Microfilm Roll No. 44, authorizing the Mayor and City Clerk to execute for and on behalf of The City of San Diego a quitclaim deed quitclaiming to Howard L. Chernoff and Melva G. Chernoff, husband and wife, that certain sewer easement conveyed to The City of San Diego by Henry Lippitt and Marion A. Lippitt, husband and wife, by deed dated June 13, 1935, recorded July 5, 1935, in Book 419 page 77 of Official Records in the Office of the Recorder of San Diego County, within Lot 4 Mission Hills No. 2, authorizing the Property Supervisor to deliver said deed upon delivery to The City of San Diego of a deed granting an easement for right of way for construction, operation and maintenance of a public sewer and appurtenances in portion of Lot 4 Mission Hills No. 2 more particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 4972 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$21,000.00 from the Capital Outlay Fund, for the purpose of providing funds to cover the cost of construction involved in lowering the grade of portions of Fairmount Avenue, including cost of lowering and realigning water mains, also to cover the cost of acquisition of land for extension of 43rd Street through Ridgeview Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Dail, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4973 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$5,400.00 from the Unappropriated Balance Fund, for the purpose of providing funds for the purchase of an official City automobile, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4974 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$5,000.00 from the Capital Outlay Fund, for the purpose of providing funds for construction of storm drain in Block 57 H. M. Higgins' Addition, was on motion of Councilman Swan, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4975 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$1,150.00 from the Capital Outlay Fund, for the purpose providing funds

for the purpose of providing funds to cover the cost of materials required for widening the north side of Imperial Avenue, easterly from Merlin Drive, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4976 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$800.00 from the Unappropriated Balance Fund, for the purpose of providing funds for purchase of 4 drinking fountains to be installed in the Conference Building in Balboa Park, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4977 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$700.00 from the Unappropriated Balance of The City of San Diego, transferring the same to Non-Personal Expense of 40.33, Professional Services Account, General Appropriations, for the purpose of providing funds to cover the anticipated increase in the of the annual independent audit of the books and accounts of The City of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The City Manager requested, and was granted, unanimous consent to present the next matter of business, not listed on the Council's agenda:

RESOLUTION NO. 104292, recorded on Microfilm Roll No. 44, granting permission to William W. Miller to shoot, fire or discharge firearms upon his property known as "Sandcal Gardens" in portions of Pueblo Lots 1107 and 1106 of the Morse Subdivision in Mission Valley, between the hours of sunrise and sunset, upon condition that said firearms be discharged in such manner that persons using the roadways within Mission Valley shall not be in the line of fire, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said Resolution recites that Ordinance No. 2404 (New Series) provides that it is unlawful to shoot, fire or discharge any firearm within the limits of The City except when said person shall have upon his person a permit issued pursuant to a resolution of the Council, that Mr. Miller in the operation of Sandcal Gardens has suffered irreparable damages from birds, rabbits, coots and pigeons, that the Police Department and the City Manager have recommended granting of permit to discharge firearms upon said premises within the hours and for the purpose mentioned in the Resolution, to protect crops.

There being no further business to come before the Council, the meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Kerrigan, at the hour of 4:15 o'clock P.M.

Chester E. Schneider
Vice Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *August M. Hadstrom*
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, November 8,
1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:04 o'clock A.M.

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

In the absence of the Mayor from the City, Vice Mayor Chester E. Schneider presided.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Mary B. Warnes from the decision of the Zoning Committee in denying her application for variance to provisions of Ordinance 8924 Section 8a for permission to construct a single-family residence with a 10-foot rear yard on Lot 4 Block 66 Roseville, on Garrison Street between Willow and Plum Streets, in Zone R-1, a report from the Senior Planning Technician was presented and read.

Said report stated that the request was for building a residence with a 10-foot rear yard when 20 feet is the required distance. The report pointed out that the only reason given for the request was that the granting would enhance the view from this and other lots in the vicinity. It reported that it is well founded that the City cannot prevent construction of a residence because it obstructs view, and that the Committee held that it cannot grant a variance for the sole reason that it would enhance petitioner's view. The communication stated further that the Committee had pointed out that she could revise plans and obtain a view as good as that provided by the proposed floor plan and still comply with the rear yard ordinance. The vote to deny, by the Committee, was 3-0.

Elmer Warnes spoke at this time, in behalf of Mrs. Warnes. He said that the variance, as applied for, would assist in the utmost use of the outstandingly beautiful view. He said that it would also help the neighborhood. He said that sliding the "L" over, as had been suggested, would put part of the house on Lot 3 which would then prevent construction of a residence on that lot. Mr. Warnes said that construction of a room on the front of the house, which had been suggested also, would cut off the view of the "Old Spanish Light House". The view, he pointed out, is a large part of the lot's value, and that to cut off the view would be to reduce the value.

Councilman Wincote said that Mr. Warnes had talked to him about the matter. He said that while he preferred to hear both sides of the question, he had agreed to go out and look at the property. He had looked at it, and told of the surrounding property, also. He said that the variance would "hurt no one". He said that the Warnes want to preserve the view on their two lots.

Glenn A. Rick, City Planning Director, made a verbal report. He said that once again he was forced to disagree with Mr. Wincote. He said that the property was no different from many lots on Point Loma. He said he can still get a view by complying with the regulations. He said that the plan as presented by Mr. Warnes does not take advantage of the view, in that the plan does not provide a window arrangement which would provide a particularly good view. He said that the setback suspension, as requested, is not needed.

Mr. Warnes said that he did not agree with Mr. Rick's statement regarding not taking advantage of the view. He produced plans which were studied by members of the Council, resulting in a "round table" discussion.

Councilman Wincote moved to sustain the appeal and overrule the decision of the Zoning Committee, which motion was seconded by Councilman Dail.

The motion was made before anyone had been invited to be heard in opposition to the requested variance.

Before the roll was called, Councilman Swan said he wanted to look at the property.

At this time Mrs. Jack Horner, 3345 Hugo Street, arose to speak. She protested the variance, and said that she and others have complied with the existing regulations. She said she could see no reason for a change in the setback. Mrs. Horner identified her property as Lot 12 in back of and above the Warnes' property. She said she does not want a hodge podge neighborhood.

Mr. Rick said that it would be difficult to deny other applications for the same sort of variance, if this one were granted by the Council.

Mrs. Horner said that there are about 5 unbuilt upon lots. She reiterated that the 20 foot rear yard should be observed, as provided by Ordinance. She asked that the City not upset the neighborhood, and declared that the Planning Commission knew what it was doing when it established the setback.

Mr. Rick said that the Warnes' request is the first in the area. He said that there had been no Zoning Committee hearing, when asked by Councilman Kerrigan. He said that cards had been sent out, as required by law, when the appeal was filed.

Mrs. John Cardosa, owner of Lot 2, said that she and her husband have built a new house into which they have not moved. She mentioned the same situation on Lot 4. She said that her husband is out at sea (impounded by one of the Central American governments for being within 5 miles of shore, when there is a lesser restriction). She

talked about governments and individuals living according to law, and not be deviating therefrom, and upsetting everyone as a result. The statement related to deviation of a federal law as it affected her impounded husband, and to changes in municipal regulations on property. She said that when changes are made somebody is always hurt. She said she is in sympathy with the Warnes wanting to see the beautiful Bay, but protested the variance. Mr. Cardoso said that she was sure that if her husband were here, he would protest, also.

Mrs. Warnes spoke regarding Mrs. Cardoso's protest. He contended that she would benefit from his plan. His roof level, he said, would be below the Cardoso floor level. Raising the house, to take advantage of the view, would reduce the view from the Cardoso residence. He said that all other owners - aside from the Horners and Cardosas - either favor the variance, or do not care what action is taken.

Mr. Rick said that there are certain structures permissible in the rear yard, but that the residence is not.

Mrs. Cardoso spoke of having staggered the steps up to their house, and said the Warnes can do likewise.

Mrs. Horner, speaking about structures in the rear yard, said that it would be almost an impossibility to construct a garage there.

Mr. Rick said that the City would not be justified in granting the variance. He pointed out that it is possible to comply with the regulations as other neighbors have done. He said that no need for the variance exists. The rules, he said should apply to all, and that if they are wrong they should be changed.

Councilman Swan said he was not prepared to vote until he had looked at the property. He thought the Council should delay the vote.

The Vice Mayor said that the question of the view is not the point. He said the view is there, and that it can be utilized.

Mr. Rick said that he had not personally gone onto the property.

Councilman Dail said that it is not necessary to look at the property inasmuch as the Council has seen the plans and the elevations. He said that he was ready to vote.

Councilman Godfrey asked which members of the Zoning Committee had looked at the property.

Mr. Rick said that he could not recall who looked at it, and pointed out that under the new arrangement, members of the Committee change every 3 weeks.

The roll was called upon the motion at this time, resulting in the following vote: Yeas--Councilmen Wincote, Dail. Nays--Councilmen Swan, Schneider, Kerrigan, Godfrey. Absent--Mayor Butler. The motion lost.

(No Resolution was drawn by the Clerk, or numbered, inasmuch as there was no motion to deny - the motion to grant simply having lost).

Claim of Marvin M. Davis, 1525 North Fairview Street, Burbank, California, in the sum of \$25.00, for personal injury to his daughter, Helen Dorene Davis, age 6, in Balboa Park, was presented.

(The claim had previously been referred to the Zoo, inasmuch as the claim referred to the injury having taken place during a visit to the Zoo; the Zoo in turn reported that the accident occurred outside the zoo grounds, within Balboa Park).

RESOLUTION NO. 104293, recorded on Microfilm Roll No. 44, referring claim of Marvin M. Davis to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Claim of James A. Jespersen, Rt. 1 Box 906, San Diego 10 (5920 Mission Gorge Road), in the sum of \$200.00, for property damage resulting from sewer damaging his property at 5920 Mission Gorge Road, was presented.

RESOLUTION NO. 104294, recorded on Microfilm Roll No. 44, referring claim of James A. Jespersen to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Claim of Charles Padgett, 4408 Long Branch Avenue, in the sum of \$253.53, for property damage resulting from his car being struck by a City rubbish truck, was presented.

RESOLUTION NO. 104295, recorded on Microfilm Roll No. 44, referring claim of Charles Padgett to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Claim of Cecil S. Van Voris, 8949 Alpine Avenue, La Mesa, California, in the sum of \$35.70, for property damage to his automobile by a City street sweeper, was presented.

RESOLUTION NO. 104296, recorded on Microfilm Roll No. 44, referring claim of Cecil S. Van Voris to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from Civic Club of Encanto, Encanto, California, dated November 2, 1951, signed by Willie W. Kennerly, President, commending Councilman Charles C. Dail for his efforts to find means of relieving San Diego's serious water shortage, was presented.

On motion of Councilman Swan, seconded by Councilman Kerrigan, said communication was ordered filed.

Communication from San Diego Highway Development Association, 4620 Mission Blvd., San Diego 9, dated November 6, 1951, signed by Robert Apitz, Secretary, was presented.

Said Communication stated that the Hon. Harry R. Sheppard, Congressman, has set November 15, at 2 P.M. for conference with the Association members and officials of San Diego to look into the serious bottleneck presented by the present Lake Hodges Bridge which in its present condition is unusable for military vehicles and becomes a critical problem in case of military emergency. The communication requested that a Councilman or an officer of the City Management be sent to the conference.

On motion of Councilman Godfrey, seconded by Councilman Dail, said communication was referred to the City Manager.

Communication from State Lands Commission, State Building, Los Angeles 12, dated October 30, 1951, enclosing copy of Division 3 State Property Operations of California Administrative Code, Title 2 - Rules and Regulations - was presented.

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

Communication from Ticket Agents Association, 241 Broadway, San Diego, dated November 5, 1951, signed by R. M. McCann, secretary-treasurer, submitting proposed Ordinance "Providing for the Regulation and Supervision of Certain Activities of Brokers and other Persons who sell Passenger space on Airplanes in The City of San Diego, California; and making it illegal to make certain representations in the course of such activities; and providing a penalty for the violation of the Ordinance".

The communication stated that a copy of Code of Ethics of the Association was enclosed, but it did not accompany the letter and proposed Ordinance.

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

In connection with communication from Christian Science Committee on Publication for Southern California, 210 West Seventh Street, Los Angeles, dated November 1, 1951, signed by John J. Selover, which requested reconsideration of vote on fluoridation, the Vice Mayor recognized Captain Frank Luckel, Assemblyman.

Assemblyman Luckel said he had been requested by certain constituents, whom he did not identify, to present evidence regarding legislation on fluoridation of water. Mr. Luckel recited the history of proposed permissive legislation which had been voted down in the Legislature.

Councilman Kerrigan reported, at this point, that San Francisco voters had voted in favor of fluoridation, at an election held last Tuesday.

Asked if he considered San Diego's action in ordering fluoridation to be illegal, Assemblyman Luckel said that he was not in a position to rule on the legal aspects of the City's direction in the matter.

Councilman Swan asked Mr. Luckel why the bill had been voted down, Assemblyman said that it was a controversial question, and that he did not know reasons for its defeat.

Councilman Godfrey said that the Public Health Committee in the Legislature had recommended a "do pass" on a non-political basis.

Assemblyman Luckel was asked how he voted on the bill. He replied that he believed he was not present when the vote was taken.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the communication which had not been read, was ordered filed.

Communication from Community Welfare Council, 645 A Street, San Diego 1, dated November 1, 1951, signed by Edgar N. Brown, Executive Secretary, conveying appreciation for action by the Council in ordering fluoridation of City water, was presented.

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

Communications from S. J. McClendon, M.D., President, Board of Health Commissioners of San Diego, dated November 2, 1951, for himself and the Board of Health; and from Wilton L. Halverson, M.D., Executive Officer, Board of Public Health, State of California, 760 Market Street, San Francisco 2, dated November 1, 1951, commending the Council for its action in ordering fluoridation of drinking water, were presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said communications were ordered filed.

Communication from Pacific Indemnity Company, dated November 2, 1951, signed by J. M. MacConnell, reporting that claim of Jessie R. Brown, 4334 Myrtle Avenue, in the sum of "over \$150.00" for personal injuries sustained in fall, had been settled by payment of \$20.00 on October 29, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated November 2, 1951, signed by J. M. MacConnell, reporting that claim of Lincoln Ambulance Service, 3978 Park Boulevard, in an unspecified sum for damage to ambulance by a City truck, had been settled by payment of \$35.00 on October 29, 1951, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from Lindley, Lazar & Scales, 825 Bank of America Building, San Diego 1, dated November 6, 1951, signed by F. E. Lindley, as attorneys for San Diego Transit Systems, was presented. Said communication stated that Morey S. Levenson (attorney employed by the City for codification of City ordinances) had reportedly recommended repeal of Ordinance No. 5721 enacted 1914 - prohibiting wrongful use of street car transfers. Said communication presented a draft for revision of the ordinance substituting the use of modern terms for "street railway" and "street car" inasmuch as buses are now operated, and requested that the Ordinance be not repealed but amended.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was referred to the City Manager.

RESOLUTION NO. 104297, recorded on Microfilm Roll No. 44, authorizing and directing the Purchasing Agent to advertise for bids and sell the following automobiles belonging to the City, no longer desirable for use or retention by the City: 1940 Buick Model 40--90-L Limousine 93890789; 1946 Buick 4-Door Sedan 46475735; 1947 Buick 4-Door Sedan 49580295, expenses in connection with sale to be deducted from proceeds of the sale, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104298, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to enter into agreement with San Diego Veterans' War Memorial Building, Inc., whereby the Corporation shall provide social, cultural, educational and recreational facilities for the benefit of all veterans, veterans' patriotic organizations, and other residents of The City of San Diego in San Diego Veterans' War Memorial Building located in Balboa Park, The City to make reimbursement therefor in amounts not to exceed \$200.00 per month, upon terms and conditions as set out in form of agreement on file in the office of the City Clerk as Document No. 440820, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104299, recorded on Microfilm Roll No. 44, granting permission to O. D. Arnold and Sons, 6122 El Cajon Boulevard, San Diego 5, to remove 44 feet of full-height curb on the south side of Adams Avenue, approximately between points 100 feet and 144 feet west of the west line of Arizona Street, and install a 44-foot driveway at 2425-31 Adams Avenue, to provide access to new construction of 4 apartments and 4 garages on the west 50 feet of Lots 45 and 48 Block 18 University Heights, in accordance with all rules, regulations and ordinances of The City of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104300, recorded on Microfilm Roll No. 44, granting permission to Harry R. Adams to install a 4-inch cast iron sewer line between the sidewalk and curb, to serve property located in Lot 282 Kensington No. 3, and connect proposed sewer line to public sewer, property numbered 4220 Ridgeway, subject to approval of the San Diego Health Department and City Manager, and on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104301, recorded on Microfilm Roll No. 44, granting permission to William Burnett to install a sewer line from residence at 2417 Pine Street, Lots 2 and 3 Block 497 Old San Diego to existing City sewer, at a grade of less than 1/4" per foot fall, in order to make connection, subject to approval by the City Manager and by the San Diego Department of Public Health, and on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104302, recorded on Microfilm Roll No. 44, granting permission to R. B. Walker, plumbing contractor for San Diego Speed Boat Club, 3430 North Harbor Drive, to install 4" cast iron soil line from sewer tap at property line, to connect to plumbing already installed at San Diego Speed Boat Club, proposed line to be run to grade stakes set by Harbor Engineers at 3/2" grade per foot, subject to approval by San Diego Department of Public Health and of the City Manager, and on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104303, recorded on Microfilm Roll No. 44, determining and declaring that the public interest, convenience and necessity of the City of San Diego require the widening and extending of Montezuma Road and El Cajon Boulevard, across portions of Lot "L" of La Mesa Colony and of Cajon Avenue, vacated and closed to public use, in La Mesa Colony, declaring that the public interest, convenience and necessity demand the acquisition of lands more particularly described in said Resolution, to be used by the

City for the widening and extending of said streets within the area aforementioned; declaring the intention of The City of San Diego to acquire said lands under Eminent Domain Proceedings; directing the City Attorney to commence action in the Superior Court of the County of San Diego for the purpose of condemning said lands, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104304, recorded on Microfilm Roll No. 44, accepting subordination agreement executed by Joe Byers, beneficiary, and Southern Title & Trust Company, trustee, bearing date October 4, 1951, wherein said parties subordinate all their right, title and interest in and to portion of Lots 9 and 10 Block 3 Berkeley Heights, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104305, recorded on Microfilm Roll No. 44, accepting subordination agreement executed by Irving H. Leavitt and Faith A. Leavitt, beneficiaries, and Mt. Helix Associates, Inc., trustee, bearing date October 10, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 9 and 10 Block 3 Berkeley Heights, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego in portion of said property, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104306, recorded on Microfilm Roll No. 44, accepting subordination agreement, executed by Emil K. Stark, beneficiary and Union Title and Trust Company trustee, bearing date October 15, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 2 and 3 Block 180 University Heights, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego in portion of said property, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104307, recorded on Microfilm Roll No. 44, accepting deed of the Department of Veterans Affairs, Division of Farm and Home Purchases of the State of California, and Lawrence E. Kleeber and Estelle N. Kleeber, bearing date September 17, 1951, conveying an easement and right of way for street purposes in portion of Lot 14 Block 14 Beverly, setting aside and dedicating the same to the public use as and for a public street, and naming the same Creston Drive, authorizing and directing the City Clerk to file said deed in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104308, recorded on Microfilm Roll No. 44, accepting deed of Agnes M. Allen, bearing date October 24, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 4 and 5 Pueblo Lot 1174, portion of Lot 1 in Pueblo Lot 1173, and portion of Pueblo Lot 1173, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104309, recorded on Microfilm Roll No. 44, accepting deed of Agnes M. Allen, bearing date October 24, 1951, conveying an easement and right of way for sewer purposes in portion of Pueblo Lot 1106, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104310, recorded on Microfilm Roll No. 44, accepting deed of O. D. Arnold and Ethel Arnold, bearing date October 18, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 17 Rancho Mission of San Diego, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104311, recorded on Microfilm Roll No. 44, accepting deed of George P. Bortle and Jennie E. Bortle, bearing date October 17, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 1 Block 234 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104312, recorded on Microfilm Roll No. 44, accepting deed of Henry R. Rigoli and Minnie B. Rigoli, bearing date October 23, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 22 Block 256 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104313, recorded on Microfilm Roll No. 44, accepting deed of Harry E. Depelheuer and Ouda Depelheuer, bearing date October 15, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 4 Block 21 North Shore Highlands, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104314, recorded on Microfilm Roll No. 44, accepting deed of Connie H. Bawcum and Cecelia C. Bawcum, bearing date August 17, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 9 and 10 Block 3 Berkeley Heights, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104315, recorded on Microfilm Roll No. 44, accepting deed of Charles E. Record, Verna S. Record and Sarah Laputz, bearing date October 8, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 2 and 3 Block 180 University Heights, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104316, recorded on Microfilm Roll No. 44, accepting deed of Jackson & Scott, Inc., bearing date October 23, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 4 Ex-Mission Lands, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 4978 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$1,800.00 from the Unappropriated Balance Fund, for the purpose of providing funds to cover operational expense of the Veterans' War Memorial Building (Balboa Park), as particularly set forth and provided in contract to be entered into between the City and the Veterans' War Memorial Committee, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 10:50 o'clock A.M., on motion of Councilman Kerrigan, seconded by Councilman Godfrey.

Upon adjournment, the Vice Mayor announced that the Council would go into Conference immediately.

Chester E. Ahnerdi
Vice Mayor of The City of San Diego, California.

ATTEST:
FRED W. SICK, City Clerk

By *August M. Headstrom*
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, November 13, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:05 o'clock A.M.

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

In the absence of the Mayor from the City, Vice Mayor Chester E. Schneider presided.

The Minutes of the Regular Meetings of Tuesday, November 6, 1951, and of Thursday, November 8, 1951, were presented to the Council by the Clerk.

On motion of Councilman Godfrey, seconded by Councilman Swan, said Minutes were approved without reading, after which they were signed by the Vice Mayor.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 3, for a period of one year from and including July 16, 1951, to and including July 15, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$784.36 written by San Diego Trust and Savings Bank, which bid was given Document No. 440966.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing had been continued for the paving and otherwise improving of Ninth Avenue, within the limits, the Vice Mayor announced that the matter would have to be passed over temporarily awaiting the arrival of Councilman Godfrey to make the sixth member necessary for adoption of a resolution of feasibility. As the announcement was made, Councilman Godfrey appeared, and the hearing was commenced.

Alta L. Burgert, who had spoken at the previous hearing, addressed the Council again. She talked about water in the drain under Johnson Street, and said that a small assessment had been made for the drain when installed. She said that mail boxes of 9th Avenue residents have to be on Johnson Avenue, and that property owners are anxious to have the work done so that their mail boxes may be placed at their homes. She said that the property owners are now willing to accept the wall (previously discussed), and the water situation, but that they object to paying on the water correction. Mrs. Burgert said she hoped that the City could pay something toward the grading. The Vice Mayor replied that the matter had been discussed in Conference, and it was agreed that the City might pay toward the drain, inasmuch as an assessment had been levied once, but that it could not pay on the grading cut.

Asked for a report, the City Engineer told the Council that the cost for the whole job would be \$8608.03.

Mrs. Burgert said that she was speaking for all the affected property owners. She said that all want as log a figure as possible for the improvement. She said that all object to the cost of the extra cutting.

RESOLUTION NO. 104317, recorded on Microfilm Roll No. 44, overruling and denying the protests of Alta L. Burgert and Wayne W. Anderson, and all other protests, filed under Resolution of Preliminary Determination No. 104000 for the paving and otherwise improving of 9th Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104318, recorded on Microfilm Roll No. 44, determining that the proposed paving and otherwise improving of Ninth Avenue, within the limits and as particularly described in Resolution of Preliminary Determination No. 104000 is feasible and that the lands to be assessed will be able to carry the burden of proposed assessment, also finding and determining that public convenience and necessity require the proposed improvement, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The Vice Mayor announced that the City will contribute approximately \$900. toward the drain.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed grading and sidewalking of portions of Commonwealth Avenue, Laurel Street and Boundary Street, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104319, recorded on Microfilm Roll No. 44, determining that the improvement of Commonwealth Avenue, Laurel Street and Boundary Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 104053, is feasible and that the lands to be assessed therefor will be able to carry the burden of the proposed assessment, finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed paving and otherwise improving of portion of Missouri Street, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104320, recorded on Microfilm Roll No. 44, determining that the improvement of Missouri Street and Public Right of Way in Acre Lot 51 Pacific Beach, within the limits and as particularly described in Resolution of Preliminary Determination No. 104054, is feasible and that the lands to be assessed therefor will be able to carry the burden of the proposed assessment, finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating Lots 3 to 9 Montezuma Heights into "R-2" Zone having arrived, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

Councilman Dail was excused from the meeting at this time.

ORDINANCE NO. 4979 (New Series), recorded on Microfilm Roll No. 44, incorporating Lots 3 to 9 inclusive, Montezuma Heights, into "R-2" Zone as defined by Ordinance No. 8924 and amendments thereto, repealing Ordinance No. 3558 adopted July 5, 1932 insofar as the same conflicts, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

Petition of Andy Tipton, 1147 Market St. (Rear), being an application for license to operate 5 to 10 Automobiles for hire and 5 to 10 Trucks for Hire, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said petition was referred to the City Manager.

Claim of Edna M. Williams, 727 Denby Street, San Diego 2, for personal injury sustained as result of a fall on a sidewalk, in an unspecified sum, was presented.

RESOLUTION NO. 104321, recorded on Microfilm Roll No. 44, referring claim of Edna M. Williams to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Acting Port Director requesting the Council to adopt a proposed Ordinance appropriating \$240,000.00 from Harbor Department Capital Trust Fund for Capital improvements on tidelands, was presented, together with "Estimated Capital Outlay Requirements and Major Repair Expenditures for Fiscal Year 1951-52, Harbor Department, City of San Diego, April, 1951".

At the request of the Council, John Bate, Port Director, made a brief verbal report.

ORDINANCE NO. 4980 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$240,000 from Harbor Department Capital Trust Fund for the purpose of providing Funds for Capital Improvements on Tidelands, stating that money so appropriated shall be considered as supplementary to the money appropriated from Harbor Department Trust Funds for Maintenance and Support by Ordinance 4909 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first

reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

Communication from the Harbor Department, signed by the Port Director, submitting Resolution authorizing work to be done by City forces in connection with the installation of water main and hydrant in Water Street, at an estimated cost of \$4,331.13, was presented.

RESOLUTION NO. 104322, recorded on Microfilm Roll No. 44, authorizing and directing the Port Director to do all the work in connection with the installation of approximately 815 ft. of 8-inch water main and one 3-way fire hydrant in Water Street between Beardsley and Crosby Streets, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Port Director has submitted estimates for said work and has indicated that the same can be done by the City forces more economically than if let by contract.

Communication from the Harbor Department, signed by the Port Director, submitting Resolution ratifying agreement for amendment of Tideland Lease with Standard Oil Company of California, being Amendment No. 2, providing for the relocating of premises without changing area, in connection with narrowing of Belt Street, was presented.

RESOLUTION NO. 104323, recorded on Microfilm Roll No. 44, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 2 between The City of San Diego and Standard Oil Company of California in all respects, lease being on file in the Office of the City Clerk under Document No. 419121, copy of Agreement for Amendment of Tideland Lease, Amendment No. 2 being contained in Document No. 440796 on file in the Office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for covering over expansion joints in concrete lining Bayview Reservoir, in accordance with specifications on file in the office of the City Clerk bearing Document No. 440942, was presented.

RESOLUTION NO. 104324, recorded on Microfilm Roll No. 44, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for covering over expansion joints in concrete lining of Bayview Reservoir, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing one 8-passenger, four-door sedan, for the Public Works Department, was presented.

RESOLUTION NO. 104325, recorded on Microfilm Roll No. 44, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing the City of San Diego with one 8-passenger, four-door Sedan, in accordance with Specifications on file in the Office of the City Clerk under Document No. 440944, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104326, recorded on Microfilm Roll No. 44, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of asphaltic concrete pavement, curb and drainage structures on Crosby and Water Streets, under Document No. 440951, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Manager submitting resolution revising the offer of the City of San Diego to the State of California in connection with beach development program, pointing out that the proposed Resolution provides for elimination of one of the parcels of land from the City's previous offer because of the fact that title to said parcel has to be quieted by court action prior to its transfer to the State, was presented.

The Planning Director, asked for a report, told the Council that the property lies South of the Crystal Pier, and made statements to the same effect as those contained in the Manager's communication, which was not read.

RESOLUTION NO. 104327, recorded on Microfilm Roll No. 44, authorizing and empowering the Mayor and the City Clerk to execute on behalf of The City of San Diego, grant deeds conveying to the State certain portions of Torrey Pines Beach and Mission Beach in the City of San Diego, County of San Diego, State of California, more particularly described in and which Grant Deeds shall be according to the terms of the forms of deeds heretofore filed with the City Clerk as Documents Nos. 440083 and 440085, authorizing and

empowering the City Manager to execute a lease agreement with the State of California, wherein said State will lease to the City the lands conveyed in the above-described deeds and certain additional beach lands to be acquired by the State for a term of 50 years with a right of renewal for a like period which lease shall be according to terms and conditions of form of lease filed with the City Clerk as Document No. 440630; authorizing and directing the City Clerk to send to the State of California, Division of Beaches and Parks, Department of Natural Resources, 257 South Spring Street, Los Angeles 12, 5 certified copies of each of the above-described deeds, the original and duplicate original and 5 copies of the above-described lease executed by the City Manager, and 5 certified copies of said Resolution; authorizing and directing the City Clerk upon, but not before, receipt from the State of the duplicate original of said lease, executed by the State, the originals of the above-described deeds; cancelling grant deeds from the City to the State on above-described property, executed August 16, 1950 and similar grant deeds executed on July 2, 1951; cancelling lease agreement in the form of the document filed with the City Clerk as Document No. 434852, executed by the City Manager pursuant to Resolution No. 102843; rescinding Resolutions Nos. 99072, adopted August 15, 1950; No. 102843, adopted by the Council June 28, 1951; and No. 104155 adopted by the Council October 25, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Manager recommending establishment of Silverado Street as a through street between the southeasterly line of Prospect Street and the westerly line of Girard Avenue, due to traffic accidents at the intersection of Silverado with Fay Ave, there being no other intersection on Silverado between Prospect and Girard at Eads, was presented.

RESOLUTION NO. 104328, recorded on Microfilm Roll No. 44, creating and establishing as a "Through Highway" Silverado Street, between the southeasterly line of Prospect Street and the westerly line of Girard Avenue; authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending installation of 10 overhead street lights, was presented.

RESOLUTION NO. 104329, recorded on Microfilm Roll No. 44, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Harbinson Avenue at Amherst Street;
73rd Street at Amherst Street;
72nd Street at Amherst Street;
East end of Lucille Drive, on Pole #04998;
North end of Lucille Place, on Pole #4899;
52nd Street at University Avenue;
Benicia Street at Riley Street;
Guizot Street at Narragansett Avenue;
Chamoune Avenue at Dwight Street;
60th Street at University Avenue;

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

Communication from the City Manager reporting on communication from Edgar W. Hebert, 3576 First Avenue, relative to need for additional traffic signals, attaching copy of his reply listing signals being and to be installed and regarding operation of existing signals after 6:00 P.M., was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Engineer recommending that change of grade proceedings be started on Udall Street, to facilitate drainage in the area of Udall and Warrington Streets, was presented.

The Vice Mayor asked about the procedure, which question was answered by the City Manager and the City Engineer.

RESOLUTION NO. 104330, recorded on Microfilm Roll No. 44, adopting recommendation of the City Engineer that change of grade proceedings be started on Udall Street - to change the official property line grades - between the northwesterly line of Worden Street and a line parallel to and distant 250.00 feet southeasterly from the southeasterly line of Warrington Street, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Auto-Trailer Parks, Inc., P.O. Box 2464, San Diego, relative to proposal submitted in March of 1949 to lease trailer park area in Torrey Pines Park Extension, amending previously-filed proposal, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, said communication was referred to the City Manager.

Communication from San Diego USO Advisory Council, 521 B Street, San Diego 1, dated November 5, 1951, signed by George A. Scott, General Chairman, expressing thanks for permission granted to place bulletin sign in the Plaza, was presented. Said communication stated that a very real service to military personnel will be made inasmuch as the sign will carry a day-by-day schedule events of each of the 9 nine local USO agency activities.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said

communication was ordered filed.

Communications from Mrs. Winifred E. Mark, 8060 University Ave., La Mesa; Herb Muffen, AE 2 (no address); E. Breneman (no address); Mrs. Mark Temple, San Diego 14; Mr. and Mrs. H. K. Dombaugh, 4111 Lamont Street, San Diego 9 - all expressing their views on the proposed Ordinance for the regulations on the keeping of Dogs, were presented. Said communications were referred to the City Manager.

Communication from Mrs. Vera A. Graham, 8135 Lincoln St., Lemon Grove, opposing fluoridation of water supply on religious belief grounds and belief of her family, also as a student of Christian Science, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was ordered filed.

A postal card signed by R. W. Reed, 4381 New Jersey, expressing his views in opposition to fluoridation of water, stating that he is unmolested by dogs, referring to the price of water, tax rates, and a variety of subjects, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said postal card was ordered filed.

Councilman Dail returned to the meeting at this time.

RESOLUTION NO. 104331, recorded on Microfilm Roll No. 44, directing notice of filing assessment and of the time and place of hearing thereof, for the paving and otherwise improving of Landis Street, the Alley in Block 12 Subdivision of Blocks 3, 6, 9 and 12 of City Heights Annex No. 1 and Block 3 City Heights Annex No. 2, within the limits and as particularly described in Resolution of Intention No. 101271, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 104332, recorded on Microfilm Roll No. 44, accepting bid of San Diego Gas & Electric Company for the furnishing of electric current for the lighting of the ornamental street lights located in Loma Portal Lighting District No. 1, for a period of one year from and including June 28, 1951, to and including June 27, 1952, and awarding contract therefor, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 104333, recorded on Microfilm Roll No. 44, accepting bid of San Diego Gas & Electric Company for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 1, for a period of one year from and including June 15, 1951, to and including June 14, 1952, and awarding contract therefor, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 104334, recorded on Microfilm Roll No. 44, accepting bid of San Diego Gas & Electric Company for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 2, for a period of one year from and including July 1, 1951, to and including June 30, 1952, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104335, recorded on Microfilm Roll No. 44, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 67 Point Loma Heights, filed in the office of the City Clerk under Document No. 440632, approving Plat No. 2283 showing the exterior boundaries of the district to be included in the assessment therefor, directing the City Clerk to file said plat in the office of the City Engineer upon the passage of the resolution of intention, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104336, recorded on Microfilm Roll No. 44, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Pynchon Street, filed in the office of the City Clerk under Document No. 439960, approving Plat No. 2293 showing the exterior boundaries of the district to be included in the assessment therefor, directing the City Clerk to file said plat in the office of the City Engineer upon the passage of the resolution of intention, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104337, recorded on Microfilm Roll No. 44, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise

improving of Quimby Street and Plum Street, filed in the office of the City Clerk under Document No. 440790, approving Plat No. 2288 showing the exterior boundaries of the district to be included in the assessment therefor, directing the City Clerk to file said plat in the office of the City Engineer upon the passage of the resolution of intention, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104338, recorded on Microfilm Roll No. 44, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Savoy Street, filed in the office of the City Clerk under Document No. 440792, approving Plat No. 2299 showing the exterior boundaries of the district to be included in the assessment therefor, directing the City Clerk to file said plat in the office of the City Engineer upon the passage of the resolution of intention, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104339, recorded on Microfilm Roll No. 44, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Tustin Street, filed in the office of the City Clerk under Document No. 440634, approving Plat No. 2300 showing the exterior boundaries of the district to be included in the assessment therefor, directing the City Clerk to file said plat in the office of the City Engineer upon the passage of the resolution of intention, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 104340, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of the Alley in Block 5 Chester Park Addition, within the limits and as particularly described in Resolution of Intention No. 103892, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 104341, recorded on Microfilm Roll No. 44, for the installation of sewer mains in Brodiaea Way, Carrizo Drive, Country Club Drive, Encelia Drive, Remley Place, Romero Court, Romero Drive and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 103893, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 104342, recorded on Microfilm Roll No. 44, for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 3, for a period of one year from and including August 7, 1951, to and including August 6, 1952, in accordance with the Engineer's Report and Assessment therefor filed September 28, 1951 in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION CHANGING GRADE NO. 104343, recorded on Microfilm Roll No. 44, changing the grade of portion of Talbot Street, as more particularly described in Resolution of Intention No. 103710, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104344, recorded on Microfilm Roll No. 44, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Five Points Lighting District No. 1, for a period of one year from and including August 5, 1951, to and including August 4, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104345, recorded on Microfilm Roll No. 44, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 1, for a period of one year from and including August 7, 1951, to and including August 6, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104346, recorded on Microfilm Roll No. 44, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Adams Avenue Lighting District No. 1, for a period of one year from and including October 13, 1951, to and including October 12, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104347, recorded on Microfilm Roll No. 44, appointing time and place for hearing protests, and directing notice of hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Midway Drive Lighting District No. 1, for a period of one year from and including October 1, 1951, to and including September 30, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104348, recorded on Microfilm Roll No. 44, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Roseville Lighting District No. 1, for a period of one year from and including October 15, 1951, to and including October 14, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104349, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of the Alley in Block 67 Point Loma Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104350, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of Pyncheon Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104351, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of Quimby Street and Plum Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104352, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of Savoy Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104353, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of Tustin Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 104354, recorded on Microfilm Roll No. 44, for the closing of portion of the Alley in Block 55 Morena, as more particularly described in said Resolution, declaring that it is not deemed necessary that any land be taken therefor, setting out the exterior boundaries of the district of lands to be affected by said work and improvement and to be assessed to pay therefor, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 104355, recorded on Microfilm Roll No. 44, for the closing of April Street and the Alley in Block B Tecolote Heights, as more particularly described in said Resolution, declaring that it is not deemed necessary that any land be taken therefor, setting out the exterior boundaries of the district of lands to be affected by said work and improvement and to be assessed to pay therefor, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 104356, recorded on Microfilm Roll No. 44, for the closing of portion of Emerald Street, as more particularly described in said Resolution, declaring that it is not deemed necessary that any land be taken therefor, setting out the exterior boundaries of the district of lands to be affected by said work and improvement and to be assessed to pay therefor, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104357, recorded on Microfilm Roll No. 44, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 20 City Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104358, recorded on Microfilm Roll No. 44, ascertaining and declaring the wage scale for the paving and otherwise improving of Myrtle Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104359, recorded on Microfilm Roll No. 44, ascertaining and declaring the wage scale for the paving and otherwise improving of Playa del Norte Street

and Neptune Place, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104360, recorded on Microfilm Roll No. 44, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alleys in Blocks 197, 196, 195, 194, 198, 199, 200 and 201 Mission Beach, within the limits and as particularly described in Resolution of Intention No. 99701 and to be assessed therefor, directing the City Clerk at the same time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104361, recorded on Microfilm Roll No. 44, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improving on the paving and otherwise improving of the Alley in Block 323 Reed and Daley's Addition, and 29th Street, within the limits and as particularly described in Resolution of Intention 101405 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104362, recorded on Microfilm Roll No. 44, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Riley Street, within the limits and as particularly described in Resolution of Intention No. 102629, and to be assessed to pay the expenses thereof, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104363, recorded on Microfilm Roll No. 44, granting permission to Thos. L. Crawford to grade by private contract a portion of the Alley in Block 16 Point Loma Heights, in accordance with plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed in the office of the City Clerk, on conditions set forth in said Resolution, surplus dirt to be deposited at places desired by said Thos. L. Crawford, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104364, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to do all the work in connection with installation of 860 feet of four-inch water main, including 300 feet of two-inch hi-line pipe, and the transfer of 6 services to the new main, and the abandonment of 530 feet of two-inch cast iron pipe between the curb and sidewalk area, on Central Avenue, south of Polk Street to the east and west Alley in Block 41 and the east and west Alley in Block 41 City Heights, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the Water Department has recommended such installation, and that the City Manager has submitted estimates and indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 104365, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to do all the work in connection with installation of a 12-inch Altitude Valve and a 12-inch Gate Valve and appurtenances in College Heights Tank, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the Water Department has recommended such installation, and that the City Manager has submitted estimates and indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 104366, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to do all the work in connection with the renewal and/or lowering of 50 water services in Gamma Street, from Beta Street to 42nd Street, and in Beta Street, from 41st Street to 42nd Street, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the Water Department has recommended such work, and that the City Manager has submitted estimates and indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 104367, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to do all the work in connection with the installation of Pressure Reducing Valve 12" and 12" H.E., 12" Tee, 16" x 12" Wye, and 90 feet of 12-inch C.I. pipe, the removal of 90 feet of 6-inch C.P. pipe, 2 6-inch valves and one 12" x 6" Cross, and abandonment in place of 60 feet of 6-inch C.I. pipe, in Lowell Street, 12 feet west of Rosecrans Street-Intersection of Lowell and Rosecrans Street, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the Water Department has recommended such work,

and that the City Manager has submitted estimates and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 104368, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to do all the work in connection with the installation of 630 feet of six-inch water main and 180 feet of four-inch water main, and the salvaging or abandonment of approximately 520 feet of two-inch C.I. pipe, in Neptune Place, from Bon Air Street to Vista Del Mar Avenue, and in a portion of Playa del Sur and Playa del Norte, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the Water Department has recommended said work, and that the City Manager has submitted estimates and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 104369, recorded on Microfilm Roll No. 44, finding that the moving of buildings on Sixth Avenue between Pennsylvania Street and University Avenue, presents a situation wherein it is impossible to comply with competitive bidding described in Section 94 of the Charter, authorizing the City Manager and the Purchasing Agent, without competitive bidding, to secure informal bids from not less than four house-moving contractors and award contracts to one or more as the interests of the City may be best subserved, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution recites that 8 property owners on the east side of Sixth Avenue, between Pennsylvania and University have donated portions of their property to the City for the purpose of widening said Avenue on condition that the City bear the cost of moving their buildings, that the moving in such a manner as to satisfy the requirements of the owners and the obligations of the City is a matter which is impossible to reduce to specifications and is independent of the responsibility and reliability of the contractor as used in the Charter with respect to competitive bidding but is peculiarly dependent upon business and operational methods and integrity of the contractor which are not susceptible of precise definition.

RESOLUTION NO. 104370, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to execute for and on behalf of the City a lease with Reg Stalmer covering the northerly 40 feet of Lot 1 Block 7 Hillcrest, together with the whole building located on Lot 1, and numbered 305 Washington Street, for a term of 10 years at a monthly rental of \$300.00 payable in advance, upon terms and conditions set out in form of lease on file in the office of the City Clerk as Document No. 440992, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104371, recorded on Microfilm Roll No. 44, approving change order No. 2, dated October 30, 1951, heretofore filed with the City Clerk as Document No. 440910, issued in connection with contract with A. F. Anderson for construction of rest rooms at Santa Clara Point, which contract is contained in Document No. 438468 on file in the office of the City Clerk, changes amounting to increase in contract price of \$26.40, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104372, recorded on Microfilm Roll No. 44, approving change order No. 1, dated November 2, 1951, heretofore filed with the City Clerk as Document No. 440911, issued in connection with the contract with H. R. Breeden for the construction of the Marcellena Tract Outfall Sewer, which contract is contained in Document No. 437783 on file in the office of the City Clerk, changes amounting to a decrease in the contract price of \$57.25, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The City Engineer told the Council that the Resolution, as drawn, specified an increase, it actually was for a decrease. Before adoption, the Resolution was corrected.

Proposed Resolution granting application of Harold Cochran for certificate of public necessity and convenience to operate 2 automobiles for hire under the name of "Silver Grey Cab Co.", as recommended by the Chief of Police and the City Manager, providing all ordinances of The City of San Diego pertaining to the operation and licensing thereof are complied with within periods of time prescribed therein, including subsequent inspection and approval by the Police Department, was presented.

Councilman Kerrigan moved to refer the matter back to the City Manager for further study and report.

Mr. Cochran appeared, and asked to be heard. The Vice Mayor recognized Mr. Cochran, the applicant, and said the Council would be interested in hearing from him. Mr. Cochran told of his operations at the Border. He said that there is heavy traffic by air between the Border and Mexico City. He said that he wants 2 limousine licenses for emergency business. He said that he takes people, usually, who come through on tours. He said he does not pick up passengers going back to the Border, in San Diego. He said that his passengers are generally those who have pre-paid tour tickets issued by air lines. Mr. Cochran told the Council that he operates 8 cabs at the Border. He said that he would pick up passengers for air lines only to the Border - from out of town - not San Diego passengers. He said he would know 10 to 12 hours ahead when passenger service would be needed. He presented a letter from Reforma-Pacific Tours, Ave. Primero de Mayo 210, San Pedro de los Pinos, Mexico 18, D.F., signed by Herman Liebes, General Manager, with a San Francisco, Cal. address, at 785 Market Street, Suite 403, Tel. YUkon 6 3962. The letter, read to the Council by the Clerk, said that Mr. Cochran had entered into contract with the Tour to handle its passengers

north from the San Ysidro Gateway, that it is important that they be able to use Mr. Cochran's service also from San Diego to the Border, that in their opinion he is best equipped to hand their business from all angles and that he has the equipment to properly handle operation from both passenger and baggage angle.

W. E. Pickerl, local manager of Tanner Grey Line, asked to be heard.

Mr. Pickerl was recognized by the Vice Mayor who said the Council would be willing to listen to him.

Mr. Pickerl protested use of the name of "Silver Grey Line", inasmuch as his company has long been known as the Grey Line. He said that he has furnished 95% of the transportation to the Border, with one limousine for 2 to 5 passengers. Sometimes, he said, there are as many as 14, for which a bus is furnished. Some times, he said, it is only a matter of minutes for notification of needed service. He said that his company is always able to supply any desired type of transportation.

Asked about rates, Mr. Pickerl replied that the taxi is \$7.50 either way to the Border, but not across the line to Tijuana; \$10.00 for the limousine; \$20.00 for bus - regardless of number of passengers.

Councilman Godfrey pointed out that it is a matter of general convenience and necessity which the Council must consider.

Mr. Cochran said that his rates are the same as those of the Tanner Grey Lines. He said that his cabs are right at the Border, and that there is no wait, while Tanner has to send them down. He said he wants to haul no loads out of San Diego. He told the Council that the previous night a plane had to land in San Diego, because it could not get into the Tijuana airport on account of fog, and that the passengers then had to go back to the Border to check through Customs and return to San Diego.

Mr. Pickerl said he has a one-hour waiting time at the Border. Tanner, he said, is advertised all over the Coast as offering the service. He contended that Mr. Cochran has not proved any necessity for operation of an occasional service.

Mr. Cochran, referring to Mr. Pickerl's protest against the name of "Silver Grey Line" as infringing on the Tanner Grey Line, said he would be willing to change the name inasmuch as it had no particular significance. He said that business depends on people, not on a name.

Mr. Pickerl said that there is an average of 5 passengers from San Diego to the Border that his company has been called upon to handle. He added that there are about 20 a day from the Border.

Mr. Cochran said that he gets the majority of his passengers from the Border. He said he is "trying to tie up loose ends at the Border". Asked here his cabs are now licensed, Mr. Cochran replied in the County of San Diego and in San Ysidro.

Mr. Pickerl told the Council that the Tanner Grey Lines are licensed in San Diego.

On motion of Councilman Kerrigan, seconded by Councilman Swan, said matter was referred back to the City Manager.

RESOLUTION NO. 104373, recorded on Microfilm Roll No. 44, granting permission to The Indoor Sports Club of San Diego, Wheelchair Dancers, to sell tickets on the streets on November 26, 27 and 28, 1951, between the hours of 1:00 P.M. and 6:00 P.M., for the purpose of raising funds to provide furnishings for the new Indoor Sports Clubhouse at 3030 Front Street, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104374, recorded on Microfilm Roll No. 44, granting revocable permit to Raymond Platt (Dr. Pepper Bottling Company), 1330 India Street, San Diego 1, to install and maintain one 1000-gallon gasoline storage tank underneath the sidewalk at said address, on conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Manager recommending granting permission to Dennstedt Company, 4110 El Cajon Boulevard, to install an excess width driveway, on 54th Street between Olive and Redwood Streets, to serve as access to an off-street parking area for six cars, twice the number displaced at the curb on the narrow 20-foot service road on which the property fronts, was presented.

RESOLUTION NO. 104375, recorded on Microfilm Roll No. 44, granting permission to Dennstedt Company, 4110 El Cajon Boulevard, San Diego, to remove 50 feet of curb on the east side of 54th Street approximately between points 85 feet and 135 feet south of the south line of Redwood Street and install a driveway on 54th Street adjacent to the north 50 feet of Lot 13 Block 10 Furlow Heights Unit #2, on conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Manager recommending granting permission to Meta Marie Shumway to install excess width driveway on Ebers Street, to provide access to 4 garages, was presented.

RESOLUTION NO. 104376, recorded on Microfilm Roll No. 44, granting permission to Meta Marie Shumway, 4983 Newport Avenue, San Diego 7, to remove 44 feet of curb on the easterly side of Ebers Street, approximately between points 81 and 125 feet north of the north line of Newport Avenue, and install a driveway on Ebers Street at said location, adjacent to Lot 1 Block 25 Ocean Beach, on conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104377, recorded on Microfilm Roll No. 44, granting permission to John C. Freiberg to install a four-inch cast iron sewer line between the property

line and the sidewalk, to be placed one foot outside the property line and run in a westerly direction parallel to the southerly line of Lot 29 Block 42 Fairmount Addition to City Heights Subdivision, to point of intersection with public sewer, to serve property at 5094 Trojan Avenue, subject to approval of San Diego Health Department and of the City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104378, recorded on Microfilm Roll No. 44, granting permission to John Scott and Grace Scott to connect the sewer of new residence being built on rear of Lots 64-65 Block A Belmont Addition, to present sewer serving front house on same lot and block, numbered 4496 48th Street, subject to approval of San Diego Department of Public Health and of the City Manager and upon conditions set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104379, recorded on Microfilm Roll No. 44, authorizing Paul Beerman, Acting Director of the Water Department, and R. A. Campbell, Water Accountant, to attend the California Municipal Utilities Association meeting, to be held in Oakland, California, November 14 to 16, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted. At the request of the City Manager dates were changed from 13 to 15, as shown in the Resolution as presented, to 14 to 16.

RESOLUTION NO. 104380, recorded on Microfilm Roll No. 44, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of the City of San Diego, a quitclaim deed quitclaiming to Richard J. Wood and Carol E. Wood, husband and wife, all of the right, title and interest in and to a strip of land 4.0 feet in width within Villa Lot 21 Mission Hills, heretofore deeded to the City by the said Woods in October of 1951, which should have included in the resolution of acceptance the authority to quitclaim the City's interest in easement conveyed in November of 1917 which easement is no longer needed for any public purpose, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104381, recorded on Microfilm Roll No. 44, accepting deed of Ralph Banda and Maria Banda, also known as Maria de Banda, bearing date October 19, 1951, conveying portions of Lot 3 Block 380 Old San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104382, recorded on Microfilm Roll No. 44, accepting deed of Howard L. Chernoff and Melva G. Chernoff, husband and wife, executed October 3, 1951, granting an easement for the right of way for construction, operation and maintenance of a public sewer and appurtenances in portion of Lot 4 Mission Hills No. 2, authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the same be filed for record in the office of the County Recorder when all escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4981 (New Series), recorded on Microfilm Roll No. 44, amending Sections 1, 4 and 6 of Taxicab Ordinance No. 2424 (New Series) adopted April 21, 1942, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, ~~Schneider~~, Godfrey. Nays--Councilmen None. Absent--Councilmen None, Mayor Butler. Dail

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4982 (New Series), recorded on Microfilm Roll No. 44, amending Section 5 of Ordinance No. 10792, approved December 1, 1926, as amended, so as to provide death benefits for members of the City Employees' Retirement System, was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The next matter, not listed on the Council's agenda, was brought up at this time under unanimous consent:

RESOLUTION NO. 104383, recorded on Microfilm Roll No. 44, reading as follows:

"WHEREAS, the people of The City of San Diego are now suffering from an acute shortage of water, which condition has existed for the past nine years, and which condition will continue unless Nature assists by providing an adequate natural supply; and

WHEREAS, all means of alleviating this condition are now being studied and undertaken by The City of San Diego; and

WHEREAS, the supply of water is in the hands of a Benevolent and Omnipotent and Supreme Authority; NOW, THEREFORE,

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

That it is the sense of this Council that an appeal by prayer by all religious services should be made by the people of this community, and that all of the religious leaders should exhort the people of this City to pray for rain",

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

At this time, the Vice Mayor asked if any one in the Council Chambers had any items to bring before the Council. No one responded.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Dail, at the hour of 10:55 o'clock A.M.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, November 15, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:05 o'clock A.M.

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

In the absence of the Mayor, Vice Mayor Chester E. Schneider presided.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of John Wahl and Rachel Wahl from the decision of the Zoning Committee in denying application No. 9919 by its Resolution No. 5960, for variance to the provisions of Ordinance No. 8924 Section 8a, for permission to convert rear of an existing store building to living quarters with no sideyard, and 2108 square feet overcovered, on Lots 5 and 6 Block 53 Ocean Beach, at 4878 Newport Avenue, in Zone C, a report from the Senior Planning Technician was presented and read by the Clerk.

Gerald Thomas, attorney, spoke in behalf of the appellants. He told of the great expense involved in opening the business at the location in question. He said that Mr. and Mrs. Wahl want to have their residence at the place of business to cut down expenses and to be near their store. He said that lack of yard space is not a factor, because their only child can use the nearby playground. Mr. Thomas said that the denial of request for variance constitutes an infringement of the right of the owners to use of the property. He said that only a temporary permit is sought, for a period of 3 years. Also, Mr. Thomas said that the City should encourage rather than discourage business development and use of property. He said that "all told" it will cost more than \$80,000.00 to open the business including the stocking. He exhibited a plan of the layout of the property to members of the Council.

Harry Haelsig, Assistant Planning Director, was asked for a report. Mr. Haelsig told of construction necessary to accomplish the living quarters at the rear of the store. He said that granting would create an unfortunate precedent which would result in further similar requests. He said that the cost of the installation, as required, would not be justified for the short time sought for temporary residence. He asked about the cost.

Mr. Thomas replied that the cost of providing the living quarters would be \$2,200.00.

Mr. Haelsig said that would be a waste, if the property were returned to its normal use at the end of the 3 years proposed. He told of the extensive work needed, including a substantial fire-proof wall separating the residence from the business area. The effect is upon use of the property, he said, in this case - not upon the neighbors.

Councilman Godfrey said that there is merit in the request. He stated that the occupancy, if all right on a temporary basis would be equally good on a permanent basis. He said "maybe the zoning is wrong."

Mrs. Wahl spoke at this time. She asked about the difference in placing the living quarters at the rear of the store, or putting an apartment on top of the building.

Mr. Haelsig said that there would be a great difference, in answer to Mrs. Wahl's question. He said that an apartment on top of the building would provide for the necessary side yard as well as allowing plenty of light and air around the living quarters.

Mrs. Wahl said that the variance would be an advantage to her, in that she could rest more on the premises, instead of rushing back and forth between another residence and the store.

Councilman Godfrey said that the City has to exercise care in such matters.

Mr. Haelsig spoke of zoning laws being established on specified standards - that otherwise they would be useless - mainly in the interests of health and safety. He pointed out that if this request were granted, there would be others. He said that would result in people living on alleys, which might make a slum area. He said that would be bad housing, and that it would be difficult to wipe out the investment at the end of the 3-year period. He said that there is reluctance to force compliance with limited-time agreements to reconvert the property, due to the expenses originally made and in the change over for compliance. He re-iterated that zoning is based on health and safety measures.

Councilman Wincote said that 5 votes would be necessary to sustain the appeal, and that there were only 5 members of the Council present. He wondered if it would be preferable to continue the matter over for one week, so more Councilmen could be present when action is taken.

Mr. Thomas and Mrs. Wahl both said that it would be satisfactory to continue the matter for a week, in line with Mr. Wincote's thinking.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the hearing was continued for one week.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Elmer H. Valle and Mary R. Valle from the decision of the Zoning Committee in denying application for a variance to the provisions of Ordinance No. 13558, for permission to divide a portion of Lot 12 La Mesa Colony - legal description on file in the Planning Office - into 4 lots and construct a single-family residence on each parcel, at 5115 - 63rd Street, in Zone R-1, a report from the Senior Planning Technician was presented and read.

Harry Haelsig, Assistant Planning Director, distributed a drawing of the proposed division to members of the Council. He said that after action of the Zoning Committee in denying the request, an application had been made for widening of the street and for division of the property under record of survey proceedings. He thought it would be well to refer the matter back until consideration could be given to the new request.

Mrs. Valle, asked if that would be all right with her, replied that it would.

Mr. Haelsig said that the property would need to be realigned, otherwise some of the parcels would be substandard in size.

Mr. Bingham, representing Freeland and Peterson, engineers for Mrs. Valle, said that each parcel would have the necessary 5,000 square feet minimum area.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the hearing was continued for 4 weeks from this date - to December 13 - and the matter referred back to the Zoning Committee.

Claim of Mrs. Stella T. Dow, 4513 Winona Avenue, San Diego 15, in the sum of \$23.50, for property damage resulting from backed up sewage, was presented.

RESOLUTION NO. 104384, recorded on Microfilm Roll No. 44, referring claim of Mrs. Stella T. Dow to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Claim of E. C. Holt, 3241 Norman Lane, in the sum of \$14.66, for damage to his automobile by a Water Department truck, was presented.

RESOLUTION NO. 104385, recorded on Microfilm Roll No. 44, referring claim of E. C. Holt to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, reporting on petition of San Diego Unified School District for rezoning Block 16 of Hollywood Park and portion of P.L. 1784 - bounded by Turquoise Street, Fanuel Street, Tourmaline Street and Everts Street, site of the Pacific Beach Elementary School - from the existing R-1 zone to Zone R-2, recommending that the matter be forwarded to the City Attorney for drafting of an ordinance before setting it for public hearing, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 5 sections of the subdivision Ordinance in connection with the revised Tentative Map of Churchward Heights, was presented.

RESOLUTION NO. 104386, recorded on Microfilm Roll No. 44, suspending Sections 3C, 3I2, 4A8 and 6, 5C of the Subdivision Ordinance in connection with the Revised Tentative Map of Churchward Heights, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the revised Tentative Map of Churchward Heights, a parcel of land on the north side of Churchward Street westerly of 58 Street, into 71 lots, was presented; subject to 10 conditions.

RESOLUTION NO. 104387, recorded on Microfilm Roll No. 44, approving the revised Tentative Map of Churchward Heights, subject to conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Kiwanis Club of East San Diego, Inc., dated November 9, signed by Roy Akers, Pres.; J. A. Vogt, Sec'y.; Lou Wiese, Chairman, Public Affairs Com.; requesting that a study be made of the possibility of making Lincoln Avenue a boulevard from Florida Street to 34th Street, and setting forth reasons for the request, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was referred to the City Manager with a request that the report be expedited.

Communication from Mrs. C. C. McCloud, 3651 - 30th Street, protesting "that awful bus at the County Hospital" and requesting that an effort be made to admonish the discourteous driver and that a better bus be put into service, was presented.

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

Communication from Pacific Indemnity Company, dated November 9, 1951, signed by J. M. MacConnell, stating that claim case of Marie Cox in the sum of \$12.50 has been closed by payment of said sum, was presented.

On motion of Councilman Dail, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated November 9, 1951, signed by J. M. MacConnell, stating that claim case of J. D. Locke has been closed by payment of \$88.48, was presented.

On motion of Councilman Dail, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated November 9, 1951, signed by J. M. MacConnell, reporting on claim of Pacific Telephone & Telegraph Company in the estimated sum of \$500.00, stating that the case had been closed by payment of \$39.55, was presented.

On motion of Councilman Dail, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated November 9, 1951, signed by J. M. MacConnell, stating that claim of Carter F. Truitt, in the sum of \$60.00 was closed by payment of said sum, was presented.

On motion of Councilman Dail, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated November 9, 1951, signed by J. M. MacConnell, reporting on claim of W. L. Valanta in the sum of \$200.00, stating that the case had been closed by payment of \$80.00, was presented.

On motion of Councilman Dail, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated November 9, 1951, signed by J. M. MacConnell, stating that the claim case of Ralph Vasquex in the sum of \$256.27, had been closed by cancellation on November 6, 1951, was presented.

RESOLUTION NO. 104388, recorded on Microfilm Roll No. 44, denying claim of Mrs. Ralph M. Vasquex, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104389, recorded on Microfilm Roll No. 44, authorizing and empowering the Mayor and City Clerk to execute for and on behalf, and as the act and deed of, The City of San Diego, a quitclaim deed quitclaiming to Gladys Hom, the East 48 feet of the West 98 feet of Lots 1, 2 and 3 in Block 4 of Crittenden Addition; authorizing and directing the City Clerk to deliver said quitclaim deed to the Property Supervisor of the City, with instructions that the same be delivered to Gladys Hom upon receipt by the City of a deed granting to the City portion of said Lots needed for widening of Sixth Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Said Resolution recites that the City desires to acquire for the widening of 6th Avenue the property mentioned, and that Gladys Hom is willing to deed portions of the same lots in exchange for property longing to The City, that it appears from appraisals that the values are not disproportionate and that it will be for the best interests of the City to make the exchange of properties.

RESOLUTION NO. 104390, recorded on Microfilm Roll No. 44, accepting grant deed of Gladys Hom, also known as Tam Mei King, a married woman, executed on the 11th day of October, 1951, conveying portion of Lots 1, 2, 3 Block 4 Crittenden Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same 6th Avenue; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the same, together with certified copy of said Resolution be filed for record in the office of the County Recorder after all escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104391, recorded on Microfilm Roll No. 44, accepting deed of Mary Helen Bowling, a widow, executed on the 3rd day of October, 1951, granting the East 48 feet of the West 98 feet of Lots 1, 2 and 3 Block 4 Crittenden Addition, setting aside the same for the public use; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions to file the same in the office of the County Recorder when all escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104392, recorded on Microfilm Roll No. 44, authorizing Fred Whitney, Chief of Public Affairs and Information, Office of Civil Defense, to attend a Public Information meeting, to be held in Sacramento, California, November 19 and 20, 1951; authorizing the incurring of all expenses necessary in connection with the trip, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for installation of Hilltop Drive 12" asbestos cement pipe line from 43rd Street to 47th Street, and 8" asbestos cement pipe line from Euclid Avenue to Roswell Street, recommending award to J. S. Barrett, the low bidder, was presented.

Said report stated that the low bid was \$8,714.60, whereas the Water Department's estimate was \$10,892.00.

RESOLUTION NO. 104393, recorded on Microfilm Roll No. 44, accepting bid of J. S. Barrett for installation of Hilltop Drive 12" asbestos cement pipe line from 43rd Street to 47th Street, and 8" asbestos cement pipe line from Euclid Avenue to Roswell Street, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104394, recorded on Microfilm Roll No. 44, approving and allowing bill of San Diego-California Club, bearing date of November 13, 1951, in the sum of \$8,230.77 for expenses incurred, as approved by the Advertising Control Committee, authorizing requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1951-1952 for said sum, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104395, recorded on Microfilm Roll No. 44, accepting subordination agreement executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date October 22, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 13 and 14 Block 5 of Resubdivision of Blocks 5, 6, 15 and 6 of Crittenden's Addition, to the right of way and easement for street purposes heretofore conveyed to The City; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104396, recorded on Microfilm Roll No. 44, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, executed in favor of The City of San Diego, bearing date October 9, 1951, conveying unnumbered lot lying southerly of Jamacha Road and north and west of Lots 20 and 24 Block D Narragansett Heights, Rancho Ex-Mission Partition in Subdivision No. 5 of Partition of Lot 12; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104397, recorded on Microfilm Roll No. 44, accepting deed of Stanley G. Christopher, also known as S. G. Christopher, and Louise Thompson Christopher, also known as Louise T. Christopher, executed in favor of The City of San Diego, bearing date October 19, 1951, conveying an easement and right of way for street purposes in portion of Lots 13, 14, 15, 16 and 17 Block 4 Crittenden Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same 6th Avenue; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104398, recorded on Microfilm Roll No. 44, accepting deed of Bertha M. Clark, executed in favor of The City of San Diego, conveying an easement and right of way for street purposes in portion of Lots 11 and 12 Block 5 of Resubdivision of Blocks 5, 6, 15 and 16 of Crittenden's Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same 6th Avenue; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104399, recorded on Microfilm Roll No. 44, accepting deed of Glendon H. Conklin, executed in favor of the City of San Diego, bearing date October 26, 1951, conveying an easement and right of way for street purposes in portion of Lots 10, 11 and 12 Block 4 Crittenden Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same 6th Avenue; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104400, recorded on Microfilm Roll No. 44, accepting deed of Adrian Earnest Cooper and Dorothy May Cooper, bearing date October 16, 1951, conveying an easement and right of way for street purposes in portion of Lots 6, 7 and 8 Block 4 Crittenden Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same 6th Avenue; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104401, recorded on Microfilm Roll No. 44, accepting deed of Richard B. Cromwell and Elizabeth C. Cromwell, executed in favor of The City of San Diego, bearing date October 26, 1951, conveying an easement and right of way for street purposes in portion of Lots 8 and 9 Block 4 Crittenden Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same 6th Avenue; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104402, recorded on Microfilm Roll No. 44, accepting deed of Vera S. Greusel, executed in favor of The City of San Diego, bearing date October 19, 1951, conveying an easement and right of way for street purposes in portion of Lots 4, 5 and 6 Block 4 Crittenden Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same 6th Avenue; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104403, recorded on Microfilm Roll No. 44, accepting deed of L. C. Harrington, Incorporated, executed in favor of The City of San Diego, bearing date October 24, 1951, conveying an easement and right of way for street purposes in portion of Lots 13 and 14 in Block 5 of Resubdivision of Blocks 5, 6, 15 and 16 of Crittenden's Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same 6th Avenue; authorizing and directing the City Clerk to transmit said Deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104404, recorded on Microfilm Roll No. 44, accepting deed of May C. Lindsay, executed in favor of The City of San Diego, bearing date October 11, 1951, conveying an easement and right of way for street purposes in portion of Lots 9 and 10 Block 5 of the Resubdivision of Blocks 5, 6, 15 and 16 Crittenden's Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same 6th Avenue; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104405, recorded on Microfilm Roll No. 44, accepting deed of D. D. Williams, Jr., executed in favor of The City of San Diego, bearing date October 18, 1951, conveying an easement and right of way for street purposes in portion of Lots 1 to 8 inclusive in Block 5 of the Resubdivision of Blocks 5, 6, 15 and 16 Crittenden's Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same 6th Avenue; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104406, recorded on Microfilm Roll No. 44, accepting deed of J. R. Delatour and Imogene Delatour, bearing date October 20, 1951, conveying an easement and right of way for public sewer purposes in portion of Lot 8 Block 17 Paradise Hills; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104407, recorded on Microfilm Roll No. 44, accepting deed of Verda Adams Adams, bearing date October 11, 1951, conveying an easement and right of way for storm drain in portion of Lot 3 Block 17 Paradise Hills; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104408, recorded on Microfilm Roll No. 44, accepting deed of Jack H. Balch and Audrienne L. Balch, bearing date October 10, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 11 and 12 Block 16 Paradise Hills; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104409, recorded on Microfilm Roll No. 44, accepting deed of Lois V. Dagg, bearing date September 5, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 17, 18, 19, 20 and 21 Block 2 Paradise Hills; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104410, recorded on Microfilm Roll No. 44, accepting deed of J. R. Delatour and Imogene Delatour, bearing date September 22, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 17 Block 20 Paradise Hills; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104411, recorded on Microfilm Roll No. 44, accepting deed of J. R. Delatour and Imogene Delatour, bearing date September 21, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 16 and 17 Block 2 Paradise Hills; authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104412, recorded on Microfilm Roll No. 44, accepting deed of J. R. Delatour and Imogene Delatour, bearing date October 20, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 8 Block 17 Paradise Hills; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104413, recorded on Microfilm Roll No. 44, accepting deed of J. R. Delatour and Imogene Delatour, bearing date October 4, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 1 and 2 Block 20 Paradise Hills; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104414, recorded on Microfilm Roll No. 44, accepting deed of J. R. Delatour and Imogene Delatour, bearing date October 4, 1951, conveying an easement and right of way for public sewer and storm drain purposes; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted. *in portion Lot 9 Block 14 Paradise Hills

RESOLUTION NO. 104415, recorded on Microfilm Roll No. 44, accepting deed of Sidney G. Evans, bearing date October 30, 1951, conveying an easement and right of way for storm drain purposes in a portion of Conde Street closed to public use, adjacent to Lot 2 Block 487 Old San Diego; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104416, recorded on Microfilm Roll No. 44, accepting deed of Robert Praskach and Florence Praskach, bearing date September 24, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 5 and 7 Block 17 Paradise Hills; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104417, recorded on Microfilm Roll No. 44, accepting deed of Robert Praskach and Florence Praskach, bearing date September 24, 1951, conveying an easement and right of way for public sewer and storm drain in portion of Lot 10 Block 14 Paradise Hills; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104418, recorded on Microfilm Roll No. 44, accepting deed of Robert Praskach and Florence Praskach, bearing date September 24, 1951, conveying an easement and right of way for public sewer and storm drain purposes in portion of Lot 5 Block 14 Paradise Hills; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104419, recorded on Microfilm Roll No. 44, accepting deed of Fred W. Stone and Elissa Stone, bearing date September 13, 1951, conveying an easement and right of way for storm drain purposes and public sewer purposes in portion of Lot 24 Block 14 Paradise Hills; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4983 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$750,000 from the Sewer 1951 Bond Fund of The City of San Diego, for the purpose of providing funds for the acquisition and construction of improvements and additions to the sewer system of the City, including acquisition and construction of trunk line sewers and also including acquisition of all lands, rights of way, equipment, pipe and material necessary or convenient therefor, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen None; Mayor Butler.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen None; Mayor Butler.

ORDINANCE NO. 4984 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$2,000,000 from the Waterworks 1951 Bond Fund, for the purpose of providing funds for the acquisition and construction by the City of improvements and additions to the water distribution system of the City, including construction of reservoirs, pumping plants, water pipe lines and other distribution facilities, and including acquisition of all land, rights of way, equipment, pipe, apparatus, materials and other property necessary therefor, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen None; Mayor Butler.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen None; Mayor Butler.

ORDINANCE NO. 4985 (New Series), recorded on Microfilm Roll No. 44, establishing the grade of Reed Avenue, between the westerly line of Mission Boulevard and the westerly line of Bayard Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen None; Mayor Butler.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen None; Mayor Butler.

Councilman Kerrigan referred back to the Valle appeal - the second item on today's agenda - and spoke about the improvement of 63rd Street, which matter did not come before the Council at the time of the hearing and its continuance. Discussion followed by members of the Council, but no action was taken, inasmuch as the subject was not scheduled for consideration at this time. It was pointed out by members of the Council that the matter of the street improvement would probably be brought into the question of the record of survey which Mr. and Mrs. Valle propose to file.

RESOLUTION NO. 104420, recorded on Microfilm Roll No. 44, granting permission to All Souls' Episcopal Church, Chatsworth and Catalina Boulevards, to erect a temporary tent on the church property, to be used on November 18 and 25, 1951, for the purpose of showing religious movies to the children and young people of the church for two one-hour periods on said days, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution, not listed on the Council's agenda, was introduced under unanimous consent granted to the City Manager.

RESOLUTION NO. 104421, recorded on Microfilm Roll No. 44, granting permission to the Bureau of Home Appliances, c/o J. Clark Chamberlain, manager, San Diego Gas &

Electric Company Building, Sixth Avenue and E Street, to install and maintain a plywood sign, with cut-out letters, supported by steel cable above and below, on Laurel Street, in front of the Electric Building in Balboa Park, between November 17, 1951, and November 29, 1951, during the Electric Show to be held in said Park, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted. Said Resolution, not listed on the Council's agenda, was introduced under unanimous consent granted to the City Manager. The Manager explained the matter to the Council, saying that it had already been made. He said it had been discovered recently that the regulatory ordinance prohibits such advertising "across public property", instead of "across streets" as previously interpreted. Also, he told the Council that use of such banners and signs in Balboa Park will be discouraged in the future.

The City Attorney requested, and was granted, unanimous consent to present a proposed Resolution dealing with public interest and necessity for construction of Sutherland Dam. He said that the Resolution had cleared with the City's bond attorney, also the City's water counsel T. B. Cosgrove, the City Water Committee, and the Water Committee of the Chamber of Commerce. He said that if the matter is to be put on the San Diego County Water Authority's forthcoming election, it should be adopted soon.

Vice Mayor Schneider said he felt the Resolution should be considered carefully, now, before its adoption. He said that opposition to the erection of the proposed had been indicated of property owners who would be affected. He said that in his opinion further discussion was needed before adoption.

The City Attorney said that the Resolution would have to be passed at a regular meeting, to be followed by the necessary Ordinance.

It was suggested that the Council go into Conference, and return at 11:30 A.M. to consider the matter further in official session.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the Council took a recess at the hour of 10:58 o'clock A.M., until the hour of 11:30 o'clock A.M.

Upon re-convening, at the hour of 11:36 o'clock A.M., the roll call showed the following:

Present--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey.

Absent---Councilman Swan, Mayor Butler.

Clerk----August M. Wadstrom

The City Attorney presented the next two Resolutions, the subject of the discussion in the conference just held:

RESOLUTION NO. 104422, recorded on Microfilm Roll No. 44, determining that the public interest and necessity demand the acquisition and construction by The City of San Diego of the Sutherland Dam, the acquisition of lands, water rights and water bearing lands, in and adjacent to the San Dieguito River and its tributaries, and the construction of a water conduit or transmission main from Sutherland Dam approximately to San Vicente Reservoir, including acquisition of all lands, easements, pipe, apparatus and property necessary therefor; stating that the improvement is necessary and convenient to carry out the objects, purposes and powers of The City of San Diego; estimating the cost to be \$6,500,000; finding that the cost will be too great to be paid out of ordinary annual income and revenue of the City and that the improvement requires an expenditure greater than the amount allowed by the annual tax levy; also declaring the intent of the Council to submit to the qualified voters at a special election to be held in the City, a proposition for the issuance of \$6,500,000 of bonds of the City of San Diego to pay the cost of said improvement, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104423, recorded on Microfilm Roll No. 44, authorizing and directing the City Manager to employ the law firm of O'Melveny & Myers, Los Angeles, California, for the purpose of passing upon the proposed bond issue of The City of San Diego to be submitted at a special City election to be held in the City: the firm shall draw or check all proceedings necessary for authorization and issuance of the bonds, proof all notices, bond forms and ballot measures, examine certified copies of all proceedings as taken, render an opinion or opinions upon the validity of the proceedings and upon bonds authorized, if any, furnish such other further service as the City Attorney shall require; the City Manager being authorized to agree to pay one tenth of one per cent for the first \$5,000,000 of bonds authorized, one-twentieth of one per cent for any amount authorized above the first \$5,000,000; \$1.00 for each \$1,000 of bonds authorized for the first \$5,000,000 and 50¢ for each \$1,000 of bonds authorized above the first \$5,000,000, and in the event the proposition does not carry, a flat rate of \$750.00 for services rendered to and including the election, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Wincote, at the hour of 11:37 o'clock A.M.

ATTEST: FRED W. SICK, City Clerk

By

August M. Wadstrom
Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, November 20, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:07 o'clock A.M.

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

Mayor Butler presided for the first time, following his extended trip to Japan together with other Pacific Coast Mayors.

The Minutes of the Regular Meetings of Tuesday, November 13, 1951, and of Thursday, November 15, 1951, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said Minutes were approved without reading, after which they were signed by the Mayor.

At this time the Mayor awarded service emblems to the following City employees in recognition of their many years with the City:

Virgil Elliott, Meter Shop Foreman in the Water Distribution Division; commenced working for the City in 1925 - with continuous service from May, 1927 - 25 years of service;

Layron Payne, Construction and Maintenance Man for the Street Division of Public Works; began working for the City in April, 1926 - 25 years of service;

Ozia Simmons, Swamper in the Refuse Division of Public Works; with the department since November, 1926 - 25 years of service;

Jack A. Lepore, Construction and Maintenance Foreman I, Public Works Sewer Division; began his service with the City in 1935; service with the Division of Sewers commenced in August, 1917 - 35 years of service.

Following presentation of the service awards, Mayor Butler spoke of his trip to Japan and of its large cities. Tokyo, he said, has 8,500,000 inhabitants, and has a long way to go to catch up with our services. The Mayor said that we ought to do what we can to help them in the municipal affairs.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for University Heights Pumping Plant reconstruction under Specification No. 3, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared, by the reading of the total bids.

Said bids were as follows:

The bid of Manco Construction Co., accompanied by bond written by Fidelity and Deposit Company in the sum of ten percent of the amount of the bid, which bid was given Document No. 441236;

The bid of Ofcco Construction Co., Inc., accompanied by bond written by Founders Insurance Company in the sum of 10% of the amount of the bid, which bid was given Document No. 441237;

The bid of F. J. Buckner Company, accompanied by bond written by The Century Indemnity Company in the sum of five thousand dollars (not to exceed that sum) - ten percent of amount bid), which bid was given Document No. 441238;

Councilman Godfrey was excused from the meeting at this time

The bid of Rogers Construction Company, accompanied by bond written by General Casualty Company of America in the sum of 10% of the amount bid; which bid was given Document No. 441239;

The bid of Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of four thousand dollars, which bid was given Document No. 441240.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights, on mast arms attached to poles in Mission Boulevard, together with maintenance thereof, for a period of one year from and including August 17, 1951, to and including August 16, 1952, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104424, recorded on Microfilm Roll No. 44, confirming the Engineer's Report and Assessment for Mission Beach Lighting District No. 2, filed in the office of the City Clerk and adopting the same as a whole, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in Ocean Beach Lighting District No. 1, for a period of one year from and including August 14, 1951, to and including August 13, 1952, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104425, recorded on Microfilm Roll No. 44, confirming the Engineer's Report and Assessment for Ocean Beach Lighting District No. 1, filed in the office of the City Clerk and adopting the same as a whole, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Beach Lighting District No. 1, for a period of one year from and including September 1, 1951, to and including August 31, 1952, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104426, recorded on Microfilm Roll No. 44, confirming the Engineer's Report and Assessment for Pacific Beach Lighting District No. 1, filed in the office of the City Clerk and adopting the same as a whole, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Councilman Godfrey returned to the meeting at this time.

Pr

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 104055, the installation of sewers in Balboa Avenue, Pasadena Street, Albuquerque Street, De Soto Street, Del Rey Street, Santa Fe Street, Pacific Highway and Public Rights of Way, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2039 made to cover the costs and expenses of the work of paving and otherwise improving of Waverly Avenue and Colima Street, within the Resolution of Intention No. 101200, the Clerk reported that a written appeal had been received from J. A. Howland, Jr., which appeal was presented to the Council and read by the Clerk.

Mr. Olson, representing the City Engineer, made a verbal report, in which he replied to a question from Councilman Kerrigan. He said that the grade had not been changed, and that the street had been improved to the official grade.

Mr. Howland spoke. He said he should not have to pay for the ramp to provide access to his garage from the street.

The Mayor pointed out that the grade of the street had been established, officially, but that the garage had not been constructed to conform. He said that the City cannot assist the appellant in the cost of installing the driveway.

RESOLUTION NO. 104427, recorded on Microfilm Roll No. 44, overruling and denying the appeal of J. A. Howland, Jr., from the Street Superintendent's Assessment No. 2039 made to cover the costs and expenses of the work of paving and otherwise improving of Waverly Avenue and Colima Street, within the limits and as particularly described in Resolution of Intention No. 101200, overruling and denying all other appeals; confirming and approving said assessment; authorizing and directing the Street Superintendent to attach his warrant and issue the same in the manner and form provided; directing him to record the

same in his office, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Claim of Florence A. McCabe (Mrs. Charles), 4275 Van Dyke Avenue, in the estimated sum of \$20.58, for damage to car over a loose manhole cover which came off, was presented.

RESOLUTION NO. 104428, recorded on Microfilm Roll No. 44, referring claim of Florence A. McCabe to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Claim of E. Jerome Bilyea, c/o Frank H. Nottbusch, Jr., San Diego Trust & Savings Bldg., in the sum of \$29,090.50, for personal injuries and property damage arising out of collision with City-owned vehicle, was presented.

RESOLUTION NO. 104429, recorded on Microfilm Roll No. 44, referring claim of E. Jerome Bilyeu to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Port Director submitting Resolution ratifying, confirming and approving tidelands lease with Western Air Lines, Inc., for premises in the remodeled Lindbergh Field Administration Building, use of Lindbergh Field, runways, taxiways, etc., for a period of 5 years from September 1, 1951, was presented.

RESOLUTION NO. 104430, recorded on Microfilm Roll No. 44, ratifying, confirming and approving tidelands lease with Western Air Lines, Inc., for period of 5 years with 3 5-year options to renew, upon terms and conditions contained in form of lease, copy of which is on file in the Office of the City Clerk under Document No. 441142, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Port Director submitting Resolution authorizing work by City forces in connection with grading Lindbergh Field Non-Scheduled Flight Area, at an estimated cost of \$10,000.00, was presented.

Councilman Godfrey questioned the reason for doing said work on that basis, rather than under contract.

John Bate, Port Director, said that it is the Harbor Department's policy to do work by contract where practicable. He told the Council that the Department can use the material now stored on the site of the proposed improvement, and that it would be moved away from time to time to locations where needed. Work could then be done as the stored material was removed. He emphasized that the Commission is not in the construction business, and does not want to be, but feels it should have the work done where it is most economical under City forces. He said that work done by the City in this instance would be cheaper than if let out under contract.

Martin Mathias, manager of the Associated General Contractors, spoke at this time. He contended that the work should be done as a result of calling for bids. He said the City can find out what the work would cost by calling for bids. He said that there are plenty of contractors equipped to do the work, regardless of any particular circumstances surrounding the project. He said that the City would get a good, economical job under contract. He opposed the City doing public work where it can be done by contract. Private contractors, he said, can do the work as well, or better, than the City. He said he could guaranty a good, competitive bid. In answer to a question from a member of the Council, Mr. Mathias said the work can be done under contract in from 25 to 30 days, perhaps less. He asked why it should be continued on a piece-meal basis over a period of 3 or 4 months. It would cost the contractor more, of course, he said, if he would have to do the work upon the same basis as the Harbor Department proposes to do it.

Mr. Bate said that the Department would have to move the lumber and piling, to let the contractor in. It would have to be moved again and again, in order to have the work done under contract, making extra work and running up the cost. Mr. Bate referred to the Harbor Department's record of work under contract. He said that it is the department's preference not to have to do the work "this way", but that this is the better method for the particular project.

Councilman Schneider pointed out that it is important not to add employees to the Civil Service payroll for doing work as proposed by the Commission.

Mr. Bate said that this is the logical method, and pointed out again that a contractor would not move the stored material twice, because it would result in unnecessary expense. He said it would cost at least \$3,000.00 more for moving of the materials than it would to have the department clear the site as and when materials thereon could be used elsewhere.

Councilman thought that contractors should have the opportunity to bid, and that if bids were out of line there would be no argument. He pointed out that the Council can reject the bids, if they were excessive.

Mr. Bate stressed the point that ~~it is~~ the only economical way contract would be to move the material before work is undertaken. He told the Council than an airfreight operation is anxious to move in as soon as possible.

Councilman Kerrigan suggested a one week's continuance of the matter.

The Mayor said that the matter might well be continued until the end of this meeting's agenda.

The City Manager and Louis Karp, Deputy City Attorney, said that another month would be added for preparation of specifications and advertising for bids.

Mr. Mathias said that he is speaking on the subject as a matter of principle.

Councilman Wincote said there would be no point in continuing the matter. He said that each side has his own view, and will probably retain it.

Councilman Schneider spoke regarding his experience in the Navy, and said that it is easy to divert funds and stocks which do not show up in a department doing the work.

On motion of Councilman Kerrigan, seconded by Councilman Godfre, the matter

was continued for further consideration at the end of today's agenda.

(Later in the meeting, the subject was continued until the adjourned meeting, to be held Wednesday, November 21, 1951).

Proposed Resolution was submitted by the Port Director authorizing work by City forces in connection with installation of utility connections in Lindbergh Field Terminal Building, at an estimated cost of \$3,000.00.

RESOLUTION NO. 104431, recorded on Microfilm Roll No. 44, authorizing and empowering the Port Director to do all the work in connection with the installation of utility connections in the Lindbergh Field Terminal Building by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the Port Director has submitted estimates for said work and has indicated that the same can be done by the City forces more economically than if let by contract.

Prior to adoption of said Resolution, the Port Director made a brief explanation in which he told the Council that he thought contractors would not be interested in doing the work under bid.

Councilman Wincote said he could see no difference jobs of \$10,000.00 or \$3,000.00. He recognized that constitutes a job consisting of various types of work.

Mr. Bate said that this is in connection with a job already under way, and is outside of the job contract.

RESOLUTION NO. 104432, recorded on Microfilm Roll No. 44, approving plans and specifications for furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of tidal gates and the reconditioning of storm drains in Mission Beach, under Document No. 441178, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager recommending installation of overhead street lights at various points on Linda Vista Road and at Miller and Stewart Streets, was presented.

RESOLUTION NO. 104433, recorded on Microfilm Roll No. 44, authorizing and directing San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

- Linda Vista Road & Comstock Street, northwest corner;
- Linda Vista Road & Comstock Street, East side of Linda Vista Road;
- Westerly side of Linda Vista Road, at crosswalk between Comstock Street and Ulric Street;
- Linda Vista Road, at crosswalk between Comstock Street and Ulric Street, east side of Linda Vista Road, north of crosswalk;
- Linda Vista Road at Ulric Street;
- Linda Vista Road and Ulric Street, east side of Linda Vista Road;
- Miller Street at Stewart Street;

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

Communication from the City Manager advising that he has appointed Mr. Royal S. German, Chief Engineer of the San Diego High School, to the Board of Mechanical Engineers to fill the vacancy created by the resignation of Mr. Keller A. Higbee, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was ordered filed.

Communication from the City Manager reporting on communication from the San Diego Public Safety Council relative to the acquisition of access rights and rights of way along Camino Del Rio, easterly of Cabrillo Freeway, was presented together with copy of his reply addressed to Hal H. Hobson, Secretary.

The reply stated that proceedings have been initiated to acquire said rights of way and access rights and that acquisitions will be expedited to the best of the City's ability.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the City Manager's report was ordered filed together with the matter upon which it reported.

Communication from the City Manager reporting on communication from Dr. Ernest Oertel, 1326 Muirlands Drive, La Jolla, relative to need for sewer system in Muirlands, was presented, together with copy of communication from the Assistant City Manager addressed to Dr. Oertel stating that it is understood that a petition is now being circulated for installation under the 1911 Improvement Act.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from the Planning Commission, continued from the meeting of November 1, recommending denial of petition of C. W. Carlstrom for rezoning property in vicinity of Santa Fe Railway tracks and several hundred feet southerly of Balboa Avenue, from the existing R-4 to M-1 Zone, was brought up for consideration at this time.

Glenn A. Rick, City Planning Director, made a verbal report in which he the Council (again) that the Planning Commission had by a vote of 5-0 voted against the petition for rezoning.

The Clerk read the Planning Commission's report of October 26, 1951.

Mr. Rick showed aerial photograph of the area.

Norman Seltzer, attorney for the petitioner, spoke. He outlined reasons for zoning and for rezoning.

Councilman Godfrey was excused from the meeting at this time.

Mr. Seltzer Carl C. Harvey, general manager of North San Diego Development Corporation, had made a survey under Mr. Carlstrom's direction, and reported that he could find only "this" property available as a suitable site. (The use to which it was proposed to put the property was not revealed). He said that it is important to diversify the types of industrial development in San Diego, which now run mainly to aircraft and fish packing. He said that an M-1 zone adjoining an R-4 zone would not be novel in San Diego, and that the proposed use of the property would not be obnoxious to nearby residents. He said that the trailer park use nearby is certainly not a high class use, but that it is a health hazard and not of benefit to surrounding property. He said that property sought to be rezoned does not abut Highway 101. He maintained that rezoning would benefit, and not detract, from nearby property.

Councilman Godfrey returned to the meeting at this time.

The Mayor mentioned the realignment of Highway 101, which he said would go through the property sought to be re-zoned.

Mr. Seltzer said that the re-zoning is wanted for a 3-acre parcel.

Mr. Harvey, asked about the business to go into the area, said that it would be a warehouse for a van and storage business. Elaborating upon the information, he said that it would be made up of a warehouse structure with a paved area. He pointed out that that a zone variance had originally been sought, but was told that it could not be allowed. He then filed a typewritten "argument" from which he read (5). He showed a map of the area and surrounding areas. Mr. Harvey told of owners who do not object to the proposed re-zoning, and said that there would be no obnoxious odors or noises inasmuch as they are not permitted under M-1 zone. Much of the M-1 property, now so zoned, is not available, according to Mr. Harvey. He said that the size of the land sought to be rezoned had been reduced on account of the highway realignment. He then showed an architectural drawing, and said that \$200,000.00 to \$300,000.00 would be the cost of the project. Asked if he had had ample opportunity to present the matter before the Planning Commission at its hearing, Mr. Harvey replied that he had. When asked about assurance of use of property for the particular purpose sought, Mr. Harvey said the owner would agree by contract and bond to use it for that purpose and no other.

Louis Karp, Deputy City Attorney, said that a conditional zoning cannot be made.

Mr. Seltzer said that the owner is willing to enter into any contract which the City Attorney could dream up regarding property use.

Mr. Rick spoke at this point. He reviewed background as of last April, and said that when the applicant had been told that he would not be able to secure a variance from R-4 to M-1, the decision had been based upon a former opinion from the City Attorney's office. (A new opinion has since been rendered, changing the interpretation of zone variances). He said that if an application for variance were to be made now, the Zoning Committee would be able to accept it for consideration.

The Mayor said that there is opposition to spot zoning in that it depreciates other property as well as sometimes doing the same to the property so zoned. He also spoke about "appreciation" of property under condemnation for highway use.

Mr. Rick quoted from minutes of the Commission. He said he could not answer Councilman Wincote's question about the Zoning Committee's attitude on variance, in view of the newer ruling from the attorney regarding permissible variances. He said, also, that one change leads to another.

Mr. Harvey said the owner could make no agreements regarding cost of the property taken by the State for highway use.

Mr. Seltzer said that the owner would be willing to stipulate that property to be occupied for highway would be at the same price as it would be under R-4 zone.

Mr. Harvey said that the proceedings for re-zoning had begun before any plan for highway change had been developed. He said that the highway would, as had been inferred, divide the property. He said that is the reason the rezoning is now sought on a lesser area.

At this point there was considerable unrecorded conversation between Councilman Wincote and Mr. Harvey.

Mr. Harvey thought the matter ought to go back to the Planning Committee.

The Mayor clarified the situation regarding a possible variance.

Mr. Seltzer said he wants to proceed at this time inasmuch as it is harder to get materials as time goes on. He emphasized that time is important.

Councilman Schneider moved to refer the matter back to the Zoning Committee, with a new application to be made for the variance.

Councilman Wincote said that it is not the petitioner's fault that the attorney's ruling had been changed.

Councilman Kerrigan said he was not willing to vote at this time on either re-zoning or on variance, until the matter had been considered further by the Zoning Committee.

The Mayor said he thought the action should be to file the matter.

Councilman Godfrey stated that if it is denied, application can be made for variance. He said he felt it should be denied, and the petitioner start over.

RESOLUTION NO. 104434, recorded on Microfilm Roll No. 44, denying petition of C. W. Carlstrom, Vice President, North San Diego Development Company, Inc., 4205 Pacific Highway, for rezoning of the easterly 554.2' of Lot 5 Eureka Lemon Tract, at Balboa Avenue and Pacific Highway, from the existing R-4 zone to M-1 zone, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas-- Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Wincote, Absent--Councilman Swan

After adoption of Resolution No. 104434, Councilman Wincote referred to the matter of fees involved in application by North San Diego Development, Inc. for a possible future zone variance, and felt that Mr. Carlstrom should not have to pay therefor.

Councilman Wincote moved that the fee for such a variance be waived, which motion was seconded by Councilman Dail.

Mr. Harvey spoke up and said that the applicant is willing to pay the designated fee, and would not request its waiver.

Councilman Wincote then withdrew his motion, and Councilman Dail withdrew his second.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 5 sections of the Subdivision Ordinance in connection Tentative Map of Magnolia Downs Tract, was presented.

RESOLUTION NO. 104436, recorded on Microfilm Roll No. 44, suspending Sections 3E5, 3J6, 4A8 and 6, 5C of the Subdivision Ordinance in connection with the Tentative Map of Magnolia Downs Tract, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of Tentative Map of Magnolia Downs Tract, subdivision of portion of Pueblo Lot 1209 lying westerly of Linda Vista Road, into 102 lots (being northerly of the subdivision of Chesterton, immediately east of City-owned lands in Pueblo Lot 1203) was presented, together with communication from the City Manager concurring in the Planning Department's recommendations regarding the map subject to satisfactory negotiations between the subdivider and the City Manager's office on installation of the trunk sewer.

RESOLUTION NO. 104437, recorded on Microfilm Roll No. 44, approving the Tentative Map of Magnolia Downs Tract, subject to the conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending amendment to Resolution No. 101231 regarding condition on the approval of the Tentative Map of Cassey Heights, in connection with new standards for pavement requirements, was presented.

RESOLUTION NO. 104438, recorded on Microfilm Roll No. 44, amending Section 5 of Resolution No. 101231 of February 8, 1951, which approved the Tentative Map of Cassey Heights, as more particularly set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 7 sections of the Subdivision Ordinance in connection with the Tentative Map of North Clairemont, was presented.

RESOLUTION NO. 104439, recorded on Microfilm Roll No. 44, suspending Sections 3C, 3E5, 3J6, 3J8, 4A8 and 6, 5C of the Subdivision Ordinance insofar as they relate to the Tentative Map of North Clairemont, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, approving the Tentative Map of North Clairemont, a subdivision of portions of Pueblo Lots 1194, 1195, 1206, 1207, 1208 and 1210, consisting of 360 acres and being located on the ridge east of the Mission Bay area, directly north of Clairemont Units Nos. 1 and 3, east of Bay Park Vista Unit No. 3, subject to the conditions (12) set out, was presented.

RESOLUTION NO. 104440, recorded on Microfilm Roll No. 44, approving the Tentative Map of North Clairemont, subject to the conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from W. D. Baker, Rear Admiral, U.S. Navy, Commandant, Eleventh Naval District, bearing date 14 Nov. 1951, requesting advice if the City may grant a permanent right of way by deed of easement or some other instrument, instead of the revocable permit, in connection with the proposed water pipeline to serve Naval Hospital installations, was presented.

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

Communication from San Diego County and Municipal Employees, Local Number 127, signed by Otto W. Hahn, business representative, relative to establishment of a health and welfare plan in lieu of a request for 5% increase in salaries effective January 1, 1952, was presented.

The Mayor asked Mr. Hahn if he wished to be heard. He replied that he did not, but felt the matter should go to the City Manager.

The Mayor also asked Miss Ellen Murray, president of the Municipal Employees' association, if she wished to speak. Miss Murray said that she favored reference to the City Manager at this time.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said communication was referred to the City Manager.

Communication from Pacific Indemnity Company, dated November 14th, 1951, signed by J. M. MacConnell, stating that the claim of Andrew Kupfernagel had been settled and the case closed by payment of \$30.00 on November 13th, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated November 14th, 1951, signed by J. M. MacConnell, stating that the claim of Mrs. J. Rottman had been settled and the case closed by payment of \$4.00 on November 13th, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said matter was ordered filed.

Communication from Boxer Club of San Diego County, dated November 15, 1951, signed by Stella Sharp, corresponding secretary, 2505 Evergreen Street, San Diego 6, urging adoption of the proposed dog control ordinance, together with amendments presented by Lowell Davies, expressing the view that the City would then have a strict but fair dog law acceptable to dog owners and non-dog owners, was presented.

RESOLUTION NO. 104441, recorded on Microfilm Roll No. 44, referring communication from Boxer Club of San Diego, on the proposed Ordinance regulating the keeping of dogs, to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104442, recorded on Microfilm Roll No. 44, directing notice of filing of the Street Superintendent's Assessment No. 2041 and of the time and place of hearing thereon, for the paving and otherwise improving of the Alley in Block 175 University Heights, within the limits and as particularly described in Resolution of Intention No. 101859, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 104443, recorded on Microfilm Roll No. 44, accepting bid of San Diego Gas & Electric Company and awarding contract for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 3, for a period of one year from and including July 16, 1951, to and including July 15, 1952, in accordance with Engineer's Report and Assessment filed August 31, 1951 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104444, recorded on Microfilm Roll No. 44, approving plans, drawings, typical cross-sections, profiles and specifications for the installation of sewer mains and appurtenances in 66th Street, Madera Street, Brooklyn Avenue, Wunderlin Avenue, Bittern Street, Akins Avenue, Evelyn Street, within the limits and as particularly described in Document No. 440822 filed in the office of the City Clerk on November 8, 1951, also approving plat No. 2289 showing the exterior boundaries of the district to be included in the assessment for said work, and directing the City Clerk upon the passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104445, recorded on Microfilm Roll No. 44, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 3, for a period of one year from and including August 7, 1951, to and including August 6, 1952, in accordance with plans and specifications contained in Engineer's report and assessment filed in the office of the City Clerk on September 28, 1951, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104446, recorded on Microfilm Roll No. 44, for sewer mains and connections, etc., in 66th Street, Madera Street, Brooklyn Avenue, Wunderlin Avenue, Broadway, Bittern Street, Akins Avenue and Evelyn Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 104447, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of the Alley in Block 20 City Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 104448, recorded on Microfilm Roll No. 44, for the paving and otherwise improvement of Myrtle Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 104449, recorded on Microfilm Roll No. 44, for the paving and otherwise improving of Playa del Norte Street and Neptune Place, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104450, recorded on Microfilm Roll No. 44, ascertaining and declaring the wage scale for the grading and otherwise improving of Commonwealth Avenue, Laurel Street and Boundary Street, as more particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104451, recorded on Microfilm Roll No. 44, ascertaining and declaring the wage scale for the paving and otherwise improving of 9th Avenue, as more particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104452, recorded on Microfilm Roll No. 44, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alleys in Block C Starkey's Prospect Park, within the limits and as particularly described in Resolution of Intention No. 102451, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104453, recorded on Microfilm Roll No. 44, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Beardsley Street and 22nd Street, within the limits and as particularly described in Resolution of Intention No. 103209, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104454, recorded on Microfilm Roll No. 44, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Brant Street and Washington Street, within the limits and as particularly described in Resolution of Intention No. 103136, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104455, recorded on Microfilm Roll No. 44, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of 60th Street, within the limits and as particularly described in Resolution of Intention No. 103048, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104456, recorded on Microfilm Roll No. 44, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Thorn Street and 45th Street, within the limits and as particularly described in Resolution of Intention No. 103134, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager recommending that no parking be permitted between 7 A.M. and 9 A.M., Sundays excepted on the east side of 6th Avenue between Date and Fir Streets, and on the north side of Date Street between 7th & 8th Avenues, and on the westerly side of Balboa Drive between Date Street and a point 300 feet northerly from 10th Avenue Road, to prevent all-day parkers from usurping all curb space in the vicinity of the Balboa Shuffleboard Club and the frequently used lawns in the southwest corner of Balboa Park adjacent to 6th Avenue and Date Street, was presented. (Said matter had been referred to Council Conference on October 23, 1951, and was returned to today's agenda with a lesser restriction imposed).

RESOLUTION NO. 104457, recorded on Microfilm Roll No. 44, prohibiting the parking of automobiles between the hours of 7:00 A.M. and 9:00 A.M., Sundays excepted, on the westerly side of Balboa Drive, between Date Street and a point 300 feet northerly from Tenth Avenue Road, authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104458, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to do all the work in connection with the extension of the existing storm drains now terminating on Lots 45 and 46 Block 65 City Heights, to the southwest corner of Wightman and 38th Streets, as shown on City Engineer's Drawing No. 4430-B, by appropriate City forces in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 104459, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to do all the work in connection with the fencing of the Morley Field Tennis Courts, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 104460, recorded on Microfilm Roll No. 44, directing the City Attorney to file a petition with the Board of Supervisors of the County of San Diego requesting that all taxes of record against property in Pacific View, City Gardens, City Gardens Addition No. 1, Valley Gardens, Bayside, Sellar's Addition, Electric Line Addition, et al, more particularly described in said Resolution, 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 the City Attorney to take whatever steps he may deem necessary otherwise to secure the cancellation of said taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104461, recorded on Microfilm Roll No. 44, authorizing and empowering the City Manager to execute a lease with Daley Corporation of portion of Lot 35 Partition of Rancho Mission of San Diego, terms and conditions of which are to be as set forth in form of lease filed in the office of the City Clerk under Document No. 441201, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said lease agreement covers removal of sand, gravel and rock by the Daley Corporation, but reserves a 40-ft right of way, term being 5 years from October 1951, but providing for termination at any time after 26,000 cubic yards of material have been removed.

RESOLUTION NO. 104462, recorded on Microfilm Roll No. 44, granting request of R. P. Shea for extension of 45 days, to and including 31st day of October, 1951, in which to complete his contract for the construction of a fill for the northerly approach to the new Morena Boulevard Bridge, contained in Document No. 436240 on file in the office of the City Clerk, waiving the provisions of the specifications with respect to liquidated damages until the termination of the contract period as extended, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said Resolution recites the reasons needed by the contractor for the extension, and states that through inadvertence on the part of the City an extension was not granted earlier and that the City Engineer now requests an extension of time as provided therein.

RESOLUTION NO. 104463, recorded on Microfilm Roll No. 44, approving change and extra work order No. 1, dated November 8, 1951, heretofore filed with the City Clerk as Document No. 441204, issued in connection with contract between The City of San Diego and Charles J. Dorfman for construction of 54th Street 12" Asbestos Cement Pipe Line, from El Cajon Boulevard to Orange Avenue, including section on Orange Avenue, and from Chellas Station Road to Euclid Avenue, contract contained in Document No. 438842 on file in the office of the City Clerk, changes amounting to increase of approximately \$330.45, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104464, recorded on Microfilm Roll No. 44, authorizing and empowering the Mayor and City Clerk to execute a quitclaim deed quitclaiming to Juan Buso and Teresa Buso, husband and wife, as joint tenants, City-owned real property being portions of Lots 3 and 4 Block 381 Old San Diego more particularly described in said Resolution; authorizing and directing the City Clerk to deliver said quitclaim deed to the Property Supervisor of the City, with instructions that the same be delivered to Juan Buso and Teresa Buso upon receipt by the City of a deed granting to the City portions of Lots 3 and 4 Block 381 Old San Diego needed for southerly extension and realignment of Morena Boulevard, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 4986 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$5,000.00 from the Capital Outlay Fund, for the purpose of providing funds to cover the cost of materials required for fencing the tennis courts at Morley Field, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Swan.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Swan.

ORDINANCE NO. 4987 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$880.00 from the Unappropriated Balance of the City of San Diego, for the purpose of providing funds for the purchase of a gasoline-driven automatic generator for the Electric Division, Public Works Department, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading, by

the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Swan.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Swan.

ORDINANCE NO. 4988 (New Series), recorded on Microfilm Roll No. 44, appropriating the sum of \$450,000.00 from the Capital Outlay Fund, for the purpose of providing funds to cover the cost of dredging work at Mission Bay, directing that said fund be reimbursed from any funds received by the City from The State of California, allocated to the Water Resources Board for reallocation to The City of San Diego in payment of projects which are now or may be financed from Mission Bay bond funds, approved by said Board, was on motion of Councilman Schneider, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Swan.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Swan.

The City Manager requested, and was granted, unanimous consent to present the next matter of business, not listed on the Council's agenda:

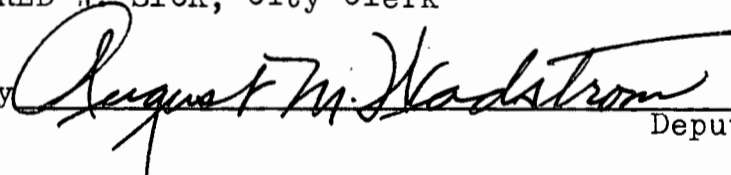
RESOLUTION NO. 104465, recorded on Microfilm Roll No. 44, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of the Morena Boulevard-Camino Del Rio Overcrossing, under official Document No. 441247 filed in the office of the City Clerk on November 20, 1951, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned until the hour of 11:00 o'clock A.M., November 21, 1951, on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Upon adjourning, the Mayor announced that there would be a Council Conference at the hour of 2:00 o'clock P.M., this date.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

ADJOURNED MEETING

Chamber of the Council of The City of San Diego, California,
Wednesday, November 21, 1951

An Adjourned Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 11:10 o'clock A.M.

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

The following matter, which had not been acted upon at yesterday's meeting,

awaiting a conference between the Port Director and Martin Mathias who protested the proposal for the Associated General Contractors, was brought up at this time:

The Mayor asked Mr. Mathias for a report on results of the conference regarding the proposed Resolution authorizing work by City forces on portion of Lindbergh Field.

Mr. Mathias told the Council of the conference which the Board of Directors of his Association had had with members of the Harbor Department. He reviewed results of the conference, and Mr. Bate's explanation of the various phases of the project and his reason for requesting that work be done by City forces. He said that, having had an explanation, it was a reasonable request, and that the Association would oppose the proposal no further.

Asked by the Mayor for a report on the conference, the Port Director said that it was satisfactory, was as Mr. Mathias had reported, and he appreciated the courtesy extended to meet with the Association's board of directors.

RESOLUTION NO. 104466, recorded on Microfilm Roll No. 44, authorizing and empowering the Port Director to do all the work in connection with the grading of Lindbergh Field Non-Scheduled Flight Area, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Shelley J. Higgins, Assistant City Attorney presented to the Council, in connection with construction by the United States Navy Department a "second barrel" pipeline for bringing water from Colorado River, "Public Law 171 - 82d Congress Chapter 494 - 1st Session H. R. 5102 An Act"; "Contract NOy-13300 Supplemental Agreement No. 1 between United States of America and San Diego County Water Authority"; and "Contract NOy-13300 Collateral Agreement to Supplemental Agreement No. 4 between United States of America and San Diego County Water Authority". Judge Higgins reported on conference held together with various interested agencies. He referred to the contracts as being in compliance with the Statutes. He told of the Navy's preferential allocation of water, attached only that from the aqueduct. The Judge said, that in the event of war, the government would have the right to take any water, from the aqueduct and any other.

The City Manager said that the government, however, would have to compensate the City for any water rights taken.

Judge Higgins referred to the City's "filings" for specific amount of water - assigned by the Secretary of the Interior, as 5th priority - and of the City receiving 3rd priority by joining the Metropolitan Water District of Southern California. He spoke regarding the Navy collateral agreement which the City is expected to sign (referring to 1(d) on page 2 thereof. He told of objections, particularly by Fallbrook. He said that the attorney for the Navy had been advised to insist upon said section. He said, also, that he is willing to take the matter back to Washington to see if the section could be eliminated. He said that the Federal Government would get all of its water on one bill, and referred to its interpretation of phases of agreements. He said that the water would be on a quantity basis, regardless of type of water services.

The City Manager said that the situation regarding charges to the government for water is absurd, and declared that it would amount to giving a blank check for sale of all water at a too-low rate. He pointed out that there are 15,000 housing units, etc., and that individual meters for all classes of water would be read, and then billed at less than cost. The City Manager said that would mean a \$150,000.00 revenue difference to the City as of right now. He said the City would be subsidizing the government for sale of water owned by the City. He suggested the addition of provision calling for the billing to the government on the same basis as the City (for like service). He advised objection in writing by the Council being made to 1(d) on page 2 of the proposed collateral agreement to Supplemental Agreement No. 4 between U.S.A. and the San Diego County Water Authority.

Councilman Godfrey said that it would be a poor business deal so far as the City of San Diego was concerned under the collateral agreement to supplemental agreement No. 4.

The City Manager said that there should be like billing for like service, the same as in the City.

City Attorney Jean F. DuPaul said that strict interpretation is in line with Sec. 1(d). He said that the construction would probably "like rates for like service", but that it might not be so interpreted. He told of interpretation by the Government attorneys to the effect that reference was not made to San Diego River water rights, also that there would be like rates for like service. He said, however, that was not the Navy's interpretation.

The City Manager said that the matter can be interpreted in several ways.

The City Attorney recommended to the Council is approving "generally", with exception of 1(d) and that the City send representation to Washington to work with the Navy's lawyers on the problem.

The City Manager he could not approval the collateral agreement with 1 (d) in it.

Judge Higgins that nothing was known about the bill until it had gone through the House. He mentioned renewal of obligation of the original contract relating to rights to the Navy. He pointed out that it will need a vote of 2/3 of the people to ratify the collateral contract. By changing 1 (d), he said, it would be a very good contract for the City.

The City Attorney recommended approval in principle, but disapproval of 1 (d) except with the addition of the words "comparable rates for like service."

Judge Higgins said that time is needed to study the proposed changes.

There was considerable discussion among individual Councilmen, not recorded, inasmuch as they did not ask specific legal questions from the attorneys for rulings and interpretations.

Judge Higgins said that the contract would be ineffective, unless each agency enters into the collateral agreement.

The City Attorney pointed out to the Council that the San Diego County Water Authority cannot bind the City of San Diego.

Once again Judge Higgins recommended approval of the contract with the elimination of 1(d) - but with the substitution of a section relating to comparable rates to the Government for like service.

Councilman Godfrey said he would not vote on the contract on that basis. The Mayor pointed out that this is only one stage in a series of negotiations. He said that it would not prejudice the City to approve the contract now.

Councilman Godfrey moved that the Council approve the contract, with the exception of 1 (d), and authorize the City Manager and the City Attorney to negotiate a more reasonable and realistic paragraph in substitution.

There was further discussion, together with a motion made by Councilman Godfrey (to which ideas were lent by other members of the Council, resulting in the following motion seconded by Councilman Wincote: That the City Manager and the City Attorney be instructed to notify the Navy attorneys that the Council approves the preliminary agreements except 1(d), and would like in lieu thereof phraseology in connection with the present method of billing to the government; also authorizing the City Manager and the City Attorney to negotiate a clause in substitution of 1 (d) for approval of the Council.

There was further discussion on the wording of the motion and its effect upon the contracts, resulting in the motion and second being withdrawn.

The matter was dropped, for the time being, with indication that the question would be brought up in a conference session this afternoon and again come before the Council later today for action.

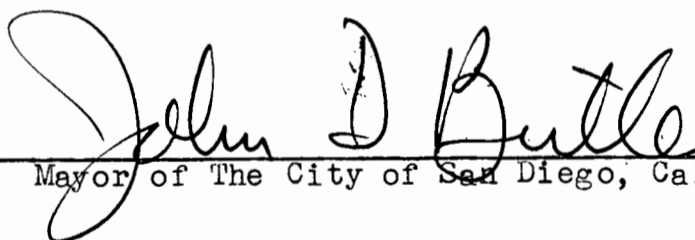
The City Manager requested, and was granted, unanimous consent to present the next two matters not listed on the Council's agenda:

RESOLUTION NO. 104467, recorded on Microfilm Roll No. 44, accepting quitclaim deed from Stafford-Gardner Company, a corporation, quitclaiming all water mains and appurtenant structures constructed for its use, located on public streets, rights of way highways and public places, either within or without the subdivision named "Sunset Ridge"; authorizing and directing the City Clerk to file said deed, together with a certified copy of said Resolution for record in the office of the County Recorder, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104468, recorded on Microfilm Roll No. 44, accepting bid of Franks Dredging Co., a Joint Venture composed of Fred C. Franks, John C. Franks and Guy F. Atkinson Company, at the unit prices set forth in its bid, unit prices amounting to a total estimated sum of \$438,147.88, for dredging and filling De Anza and vicinity in Mission Bay (bids received September 25, 1951), awarding contract, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, a contract therefor upon execution thereof and upon execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

On motion of Councilman Godfrey, seconded by Councilman Wincote, a recess was taken until the hour of 4:00 o'clock P.M. this date, to consider at that time the water contracts referred to earlier in today's Minutes.

Councilman Schneider appeared in the Council Chambers at the hour of 5:19 o'clock P.M., and announced that the Council would not reconvene, although a recess had been taken.


Mayor of The City of San Diego, California.

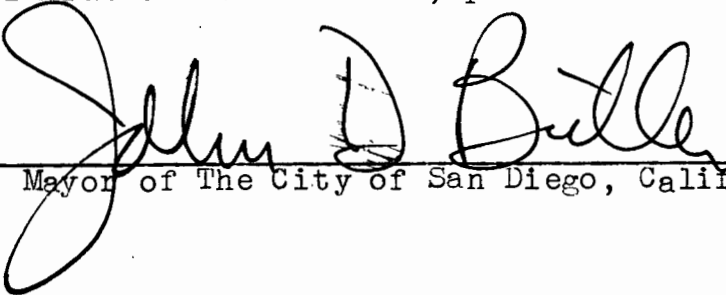
ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Friday, November 23, 1951

At the hour of 10:20 o'clock A.M., Mayor Butler appeared in the Council Chambers and announced that the Regular Meeting scheduled for this date would not be held. He informed Mr. and Mrs. John Wahl, and Gerald Thomas, their attorney, that their appeal which had been continued until this time, would be brought up at the hour of 9:45 o'clock A.M., on Tuesday, November 27, 1951, instead. Mr. and Mrs. Wahl and their attorney said that they would return at that time. The Mayor stated that matters set on today's agenda would be brought up for consideration at that time, prior to the convening of next Tuesday's regular meeting.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 

Deputy

CONTINUED MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, November 27, 1951

The meeting of the Council, set for the hour of 10:00 o'clock A.M. on Friday, November 23, 1951, had been continued until the hour of 9:45 o'clock A.M. The meeting was called to order by the Mayor at the hour of 10:01 o'clock A.M.

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

The matter of the appeal of John Wahl and Rachel from the decision of the Zoning Committee in denying application No. 9919 by its Resolution No. 5960, for variance to the provisions of Ordinance No. 8924 Section 8a, for permission to convert rear portion of an existing store building into living quarters with no sideyard, and 2108 square feet of overcoverage, on Lots 5 and 6 Block 53 Ocean Beach, at 4878 Newport Avenue, in Zone C, which had been continued from November 15 to November 23 and until this date, was brought up at this time.

The previously-read Zoning Committee's report on denial was presented and read.

Gerald Thomas, attorney for Mr. and Wahl, repeated his statements made at the November 15 hearing, and asked for the granting by the Council of the variance.

Harry Haelsig, Asst. Planning Director, reviewed the previous hearing, in response to questions from Councilman Swan who had not been present. He said that the request is so far out of line that the Zoning Committee could not grant it. He said he can't see the appellants' line of reasoning.

Councilman Schneider said that there is more than the matter of a legal problem involved in the request.

Councilman Schneider moved to grant the appeal and overrule the Zoning Committee's decision, which motion was seconded by Councilman Swan. There was added to the motion, later a 3-year limitation upon the variance, or only as long as the Wahls own the property within that 3-year period, with direction for the City Attorney to prepare collateral agreement whereby the Wahls will restore the property to its present C zone condition at the end of said 3-year period, which agreement shall come before the Council on Thursday, November 29, 1951.

Before the roll was called, Councilman Godfrey asked for an explanation of the short-time variance requested.

Mr. Wahl spoke. He said that the apartment would be temporary, and assured the Council that its use is desired for only 3 years.

Mrs. Wahl said that they do not want to pay out rent, and would prefer to put the money into their own property.

Councilman Godfrey said that it is easier to talk about a temporary permit than to revert to the required use at the expiration of that time.

RESOLUTION NO. 104469, recorded on Microfilm Roll No. 44, sustaining the appeal of John Wahl and Rachel Wahl, 1065 Felspar Street, from the decision of the Zoning Committee in denying by its Resolution No. 5960 their application No. 9919 for variance to the provisions of Ordinance No. 8924 Section 8a, to convert rear of an existing store building to living quarters with no sideyard and 2108 sq. ft. overcovered, being on Lots 5 and 6 Block 53 Ocean Beach, located at 4878 Newport Avenue, in Zone C, and overruling said decision, premises to be occupied for only 3 years from the date of this Resolution or only as long as the Wahls own the property within that 3-year period, directing the City Attorney to prepare a collateral agreement whereby the Wahls will restore the property to its present C zone use at the end of said 3-year period which agreement shall come before the Council for approval on Thursday, November 29, 1951, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Dail, Godfrey. Nays--Councilman Kerrigan, Mayor Butler. Absent--Councilmen None.

The Mayor said that he was abstaining from voting, inasmuch as he had not had all the background on the case. The City Attorney said that the Mayor could not abstain from voting, whereupon the Mayor cast his "nay" vote.

Petition of Kenneth C. Parks and Avis Jean Parks, 3980 5th Avenue, for the annexation of uninhabited property in Grantville and Outlots was presented, together with report from the County Boundary Commission that the boundaries are correct and that the land is contiguous to the present City boundary and recommends approval of the description thereof as set out in the petition.

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

Claim of Wm. E. Berry, 5404 Gilbert Drive, San Diego 15, in the sum of \$26.90, for expense incurred in replacing water pipe broken at the time of installation of a new water meter at his home, was presented.

RESOLUTION NO. 104470, recorded on Microfilm Roll No. 44, referring claim of Wm. E. Berry to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of L. B. Butterfield, 2035 Main Street, in the sum of \$538.35, for damage to construction work being done by him on replacement of Estrella Park sewer by a broken water main, was presented.

RESOLUTION NO. 104471, recorded on Microfilm Roll No. 44, referring claim of L. B. Butterfield to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Ray Norrup, c/o Mrs. M. I. Norrup, 120 W. Myrrh St., Compton, California, in the sum of \$25.00, for property damage resulting in collision with City-owned truck, was presented.

RESOLUTION NO. 104472, recorded on Microfilm Roll No. 44, referring claim of Ray Norrup to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Civil Service Commission, signed by the Acting Asst. Personnel Director, submitting Resolution and Ordinance relative to proposed amendments to Section 4 Rule II and Section 11 Rule III of the Rules of the Civil Service Commission, was presented.

The Personnel Director, Raymond Kray, made a brief explanation of the purpose of making the change in the Rules, and read from the City Charter on the subject. He said that good candidates for lifeguards, policemen and firemen are sometimes lost as a result of temporary physical indisposition preventing satisfactory passing of tests of strength, agility or athletic ability. He said that it would be in the City's interest to amend the sections of the Rules as proposed by the Commission.

RESOLUTION NO. 104473, recorded on Microfilm Roll No. 44, authorizing and directing the City Clerk to publish or cause to be published proposed amendments of Section 4 Rule II and Section 11 Rule III of the Rules of the Civil Service Commission in full at least once in the official newspaper at least ten days prior to a hearing to be held by

the Council upon the question of adopting said amendments, which hearing is fixed for the 18th day of December, 1951, and post a copy in full of such proposed amendments in three public places at least ten days prior to the date of said hearing; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from The Metropolitan Water District relative to method of payment for the District's taxes, for the Fiscal Year 1952-1953, was presented.

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

The City Attorney said that he had a Resolution ready for adoption at this time on the subject, and suggested action by the Council on the Resolution obviating the necessity for reference to the Manager.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said action was reconsidered.

On motion of Councilman Godfrey, seconded by Councilman Dail, the communication was ordered filed.

RESOLUTION NO. 104474, recorded on Microfilm Roll No. 104474, recorded on Microfilm Roll No. 44, being a Resolution and Order of the City Council declaring its intention to pay out of its municipal funds the whole of the amount of taxes to be derived from the area of the Metropolitan Water District of Southern California within The City of San Diego for the fiscal year beginning July 1, 1952, as such amount of taxes shall be fixed in August, 1952, by Resolution of the Board of Directors of such District; directing the filing by the City Manager of certified copy of said Resolution with the Controller of said Metropolitan Water District of Southern California, and with the County Assessor of the County of San Diego, and with the State Board of Equalization, accompanied by statement of the existence of The City of San Diego as a municipal corporation located in the County of San Diego, State of California, together with a legal description of the boundaries of said City as most recently changed, together with a map or plat indicating such boundaries; resolving and ordering that concurrently with the certification to the District of said intention, accompanied by statement and map or plat, the City Manager shall transmit or cause to be transmitted to said Controller a statement showing the financial condition of the City, the funds from which it is intended that such payment will be made, and the sources of revenue to be used therefor, and not later than December 15, 1951, shall file, or cause to be filed with said Controller proof that a certified copy of said declaration and such statement and map or plat have been filed with the County Assessor, and with said State Board of Equalization, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Vista Irrigation District, Vista California, reporting that on October 31, 1951, at 7:00 o'clock A.M., the amount of water in storage in Lake Henshaw was 850 acre feet, pursuant to provisions of the supplemental contract dated November 7, 1948, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, ordered filed.

Communication from Pacific Beach Elementary P.T.A., San Diego 9, signed by Rosalind B. Malin (Mrs. Harry Malin), President, and Mrs. R. W. Kerns, Secretary pro tem, expressing thanks for action in passing plan to increase amount of fluorine in the City water, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated November 15th, 1951, signed by J. M. MacConnell, reporting on claim of Lois Dolhar, and requesting denial thereof, was presented.

RESOLUTION NO. 104475, recorded on Microfilm Roll No. 44, denying claim of Lois Dolhar, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Pacific Indemnity Company, dated November 16th, 1951, signed by J. M. MacConnell, reporting on claim of Mrs. Frank Cochran, and requesting denial thereof, was presented.

RESOLUTION NO. 104476, recorded on Microfilm Roll No. 44, denying claim of Anna L. Cochran, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Pacific Indemnity Company, dated November 19, 1951, signed by J. M. MacConnell, reporting on claim of Roland J. Smith, stating that file has been closed without payment, was presented.

RESOLUTION NO. 104477, recorded on Microfilm Roll No. 44, denying claim of Roland J. Smith, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104478, recorded on Microfilm Roll No. 44, approving bill of San Diego City and County Convention Bureau, Incorporated, bearing date November 16, 1951, in the sum of \$2765.72 for expenses incurred, as approved by the Advertising Control Committee, authorizing requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1951-52 for said sum, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104479, recorded on Microfilm Roll No. 44, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date November 2, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 583 Talmadge Park Unit No. 3, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104480, recorded on Microfilm Roll No. 44, accepting subordination agreement, executed by Anne E. Broderick, beneficiary, and Southern Title & Trust Company, trustee, bearing date September 28, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 582 Talmadge Park Unit No. 3, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104481, recorded on Microfilm Roll No. 44, accepting subordination agreement, executed by Russell A. Kahler and Mary C. Kahler, beneficiaries, and Bank of America National Trust and Savings Association, trustee, bearing date October 31, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 67 Las Alturas Villa Sites, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104482, recorded on Microfilm Roll No. 44, accepting subordination agreement, executed by The Northwestern Mutual Life Insurance Company, beneficiary, and Rufus Freitag, trustee, bearing date October 10, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 582 Talmadge Park Unit Three, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104483, recorded on Microfilm Roll No. 44, accepting deed of Mary C. Kahler, Emmy Lou Lange, Jack B. Lange and Russell A. Kahler, bearing date November 1, 1951, conveying an easement and right of way for street purposes in a portion of Lot 67 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Arroyo Avenue; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104484, recorded on Microfilm Roll No. 44, accepting deed of Grace L. Benbough, bearing date October 29, 1951, conveying an easement and right of way for street purposes in portion of Lots 20 through 24 Block 4 Crittenden's Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same Sixth Avenue; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104485, recorded on Microfilm Roll No. 44, accepting deed of Amy L. Heffelfinger, bearing date October 29, 1951, conveying an easement and right of way for street purposes in portion of Lots 18 and 19 Block 4 Crittenden Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same Sixth Avenue; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104486, recorded on Microfilm Roll No. 44, accepting deed of Clairemar Corporation, bearing date December 28, 1950, conveying an easement and right of way for alley purposes in portion of Lot 2 Pueblo Lot 1783; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104487, recorded on Microfilm Roll No. 44, accepting deed of Roy A. Cook and Virginia R. Cook, bearing date October 25, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 18, 19 and 20 Block 239 Pacific Beach Addition; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104488, recorded on Microfilm Roll No. 44, accepting deed of the Department of Veterans Affairs, Division of Farm and Home Purchase of the State of California, and Duncan G. Hughes and Beulahbel A. Hughes, bearing date September 11, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 583 Talmadge Park Unit Three; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104489, recorded on Microfilm Roll No. 44, accepting deed of W. W. Ogden and Mary M. Ogden, bearing date October 31, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 39 Block 205 Pacific Beach; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104490, recorded on Microfilm Roll No. 44, accepting deed of Hattie G. Pierce, bearing date November 1, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 23 Block 6 Fairmount Addition; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104491, recorded on Microfilm Roll No. 44, accepting deed of Frank E. Robb and Marjory E. Robb, bearing date October 4, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 583 Talmadge Park Unit Three; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104492, recorded on Microfilm Roll No. 44, accepting deed of Joe Siler and Ethel Marie Siler, bearing date August 1, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 582 Talmadge Park Unit Three; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104493, recorded on Microfilm Roll No. 44, accepting deed of The Regents of the University of California, bearing date October 24, 1951, conveying an easement and right of way for sewage pumping station and pipe line purposes in portion of Pueblo Lot 1298; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104494, recorded on Microfilm Roll No. 44, accepting deed of Robert P. Cordiner and Margaret D. Cordiner, bearing date November 1, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 6 Block 43 Eastern Addition, and a portion of Felton Street closed by Resolution No. 66486 contiguous and adjacent to said portion of said Lot 6; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the following Ordinances establishing grades, Councilman Kerrigan charged that the grades of streets and alleys are often established after the property is improved, and that property owners are then forced to conform to those grades. That, he said, causes much discontent and expense. He thought that a method should be

developed to improve the present situation.

The City Engineer told the Council that the grades are being established in connection with the 1911 public improvement proceedings, and that they will be the official grades.

The City Manager said that the City is trying to accomplish the necessary grade, with the least inconvenience to the property owners affected. He said, also, that the proposed grades are advertised and posted, and opportunity given for property owners to be heard.

The City Engineer and the City Attorney pointed out that the system for giving property owners a hearing is where there is a "change of grade proceeding" upon which affected persons may appear before the Council to protest. Otherwise, they said, the grade is simply established and few know what that grade is.

There was further discussion during which Councilman Kerrigan said he felt the City should improve its grade establishment procedure.

Mr. Kerrigan then offered a motion to refer the matter to Council Conference. The Mayor asked Mr. Kerrigan to withhold his motion until the Ordinances had been adopted, inasmuch as a motion and second had been made for placing the first of the Ordinances on its final passage. Mr. Kerrigan agreed, and pursued his idea no further at this time.

*

ORDINANCE NO. 4989 (New Series), recorded on Microfilm Roll No. 44, establishing the grade of the Alley in Block 2 Ocean Beach, between the northwesterly line of Guizot Street and the southeasterly line of Froude Street, was on motion of Councilman Schneider, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 4990 (New Series), recorded on Microfilm Roll No. 44, establishing the grade of 51st Street, between the north line of Trojan Avenue and the southerly line of El Cajon Boulevard, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None. Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

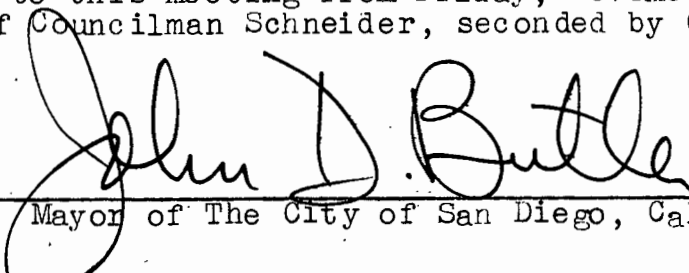
ORDINANCE NO. 4991 (New Series), recorded on Microfilm Roll No. 44, establishing the grade of Wightman Street, between the east line of Shiloh Road and a line drawn northerly at right angles to the south line of Wightman Street from the Point of intersection of the south line of Wightman Street with the southeasterly line of Ogden Street, was on motion of Councilman Swan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--None.

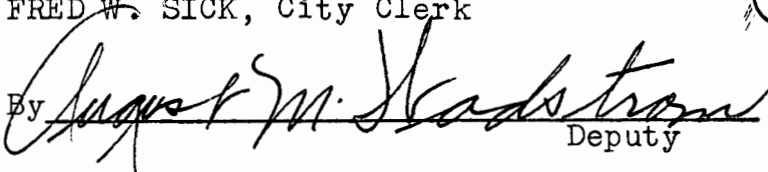
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RESOLUTION NO. 104495, recorded on Microfilm Roll No. 44, referring to Council Conference the matter of establishing a procedure in connection with establishment of grades on City streets and alleys, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

There being no further business to come before the Council at this time, on the agenda which had been continued to this meeting from Friday, November 23, 1951, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Godfrey.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, November 27, 1951.

A regular meeting of the Council was held this date, and was called to order by the Mayor following adjournment of the meeting continued from Friday, November 23, 1951. All members of the Council were present. Clerk---Fred W. Sick.

The Minutes of the Regular Meeting of Tuesday, November 20, 1951, of the Adjourned Meeting of Wednesday, November 21, 1951, and of Friday November 23, 1951 at which time all business scheduled for that time was continued until this date, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 4, for a period of one year from and including August 1, 1951, to and including July 31, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$559.46, which bid was given Document No. 441463.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids under Specification No. 207 for the construction of Congress Street Storm Drain, Old Town, the Clerk reported that eleven bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of L. B. Butterfield, 1211 So. 32nd St., San Diego 13, accompanied by bond written by Maryland Casualty Company in the sum of 10% of amount of bid, which bid was given Document No. 441452;

The bid of H. H. Peterson, 3340 W. Washington, San Diego 1, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of 10% of bid, which bid was given Document No. 441453;

The bid of W. F. Nelson Company, 1249 South 32nd Street, San Diego 13, accompanied by bond written by Maryland Casualty Company in the sum of 10% of amount of bid, which bid was given Document No. 441454;

The bid of R. A. Wattson Co., 5528 Vineland Ave., North Hollywood, Calif., accompanied by bond written by United Pacific Insurance Company in the sum of ten per cent of the amount bid, which bid was given Document No. 441455;

The bid of Cameron Bros. Const. Co., 4378 Lorca Drive, San Diego 15, accompanied by bond written by Glens Falls Indemnity Company in the sum of ten per cent of the amount bid, which bid was given Document No. 441456;

The bid of Walter H. Barber, 7309 El Cajon Boulevard, La Mesa, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of ten percentum of the amount of the accompanying bid, which bid was given Document No. 441457;

The bid of J. S. Barrett, 1330 Coast Highway, Newport Beach, California, accompanied by bond written by American Surety Company of New York in the sum of ten per cent of the bid, which bid was given Document No. 441458;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company in the sum of 10% of the aggregate sum of the Bid, which bid was given Document No. 441459;

The bid of E. W. Cannell, doing business as E. W. Cannell Engineering Contractor, 1418 1/2 So. Halldale Ave., Gardena, California, accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of ten percent of the amount of the bid, which bid was given Document No. 441460;

The bid of Charles J. Dorfman, 124 North La Brea Avenue, Los Angeles, 36, accompanied by bond written by Saint Paul-Mercury Indemnity Company in the sum of ten per cent of the amount of the bid, which bid was given Document No. 441461;

The bid of Face Construction Co., 1120 28th St., San Diego 2, accompanied by bond written by American Surety Company of New York in the sum of five thousand three hundred thirty-one and 28/100 dollars (\$5,331.28), which bid was given Document No. 441462.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104194 of Preliminary Determination for the improvement of the Alleys in Blocks 96, 97, 99, 100, 103, 104 and 107 Mission Beach, Santa Barbara Place, Mission Boulevard, Ventura Boulevard and Public Rights of Way, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104496, recorded on Microfilm Roll No. 45, determining that the paving and otherwise improving of the Alleys in Blocks 96, 97, 99, 100, 103, 104 and 107 Mission Beach, Santa Barbara Place, Mission Boulevard, Ventura Boulevard and Public Rights of Way, within the limits and as particularly described in said Resolution, is feasible and that the lands to be assessed therefor will be able to carry the burden of proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104195 of Preliminary Determination for the improvement of Thomas Avenue and Reed Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104497, recorded on Microfilm Roll No. 45, determining that the paving and otherwise improving of Thomas Avenue and Reed Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104497, recorded on Microfilm Roll No. 45, determining that the paving and otherwise improving of Thomas Avenue and Reed Avenue, within the limits and as particularly described in said Resolution, is feasible and that the lands to be assessed therefor will be able to carry the burden of proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Claim of Raymond Early, Sr., 5172 West Point Loma Boulevard, in the sum of \$35,700.00, alleging false arrest resulting in imprisonment, etc., was presented.

RESOLUTION NO. 104498, recorded on Microfilm Roll No. 45, referring claim of Raymond Early, Sr. to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

At this time a majority of the members of the Council executed undertakings for street lighting with San Diego Gas & Electric Company, covering College Park Lighting District No. 1 and Mission Beach Lighting District No. 1.

Communication from the Harbor Department, signed by the Port Director, submitting Resolution ratifying agreement for amendment of Tideland Lease, Amendment No. 3, with San Diego Gas & Electric Company, was presented. The Communication reported that the amendment had been initiated by the Harbor Department in connection with its improvement of Belt Street, that the area is being modified and rental increased in accordance with established policy.

RESOLUTION NO. 104499, recorded on Microfilm Roll No. 45, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 3, between The City and San Diego Gas and Electric Company, a copy of which is contained in Document No. 441276 (original lease bearing Document No. 331920) on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Acting Director, Water Department, addressed to the City Manager, and bearing stamps of approval from the Purchasing Agent and Acting City Manager, reporting on bids for University Heights Pumping Plant Reconstruction which had been opened and received by the Council on November 20, 1951; recommending accepting low bid of Ofcco Construction Company, Inc., was presented.

RESOLUTION NO. 104500, recorded on Microfilm roll No. 45, declaring the bid submitted by Ofcco Construction Company, Inc., for reconstruction of University Heights Pumping Plant to be the lowest bid received, and that said Company is the lowest, responsible and reliable bidder; rejecting all bids received except said bid; authorizing and empowering the City Manager to execute, for and on behalf of the City, a contract with Ofcco Construction Company, Inc. for said reconstruction, upon execution by said

Company of said contract, and upon execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the Acting City Manager's stamp of approval, reporting on bids received for furnishing one Motor Propelled 75-foot Aerial Ladder Fire Truck, stating that all 4 bids were faulty, recommending rejection and submitting Resolution authorizing purchase on the open market, was presented.

RESOLUTION NO. 104501, recorded on Microfilm Roll No. 45, rejecting all bids received by the Purchasing Agent on October 25, 1951 for furnishing one 75-foot motor propelled Aerial Ladder Fire Truck; authorizing the Purchasing Agent to purchase same on the open market, provided that the equipment purchased meets the specifications previously promulgated, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104502, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to advertise for sale and sell various items of equipment belonging to the Division of Shops, more particularly described in said Resolution, which equipment is no longer desirable for use or retention by the City, in accordance with written notice from the Assistant Director of Public Works, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager reporting on communication from Mrs. C. C. McCloud regarding the bus service to the County Hospital and the bus operator, attaching copy of his reply and recommending filing, was presented.

The City Manager's reply states that the County operates a bus between the hospital and the No. 3 line of the Transit Company at Front and Washington Streets, that the County Hospital is so situated that it would be impractical to route the No. 3 bus there and back from its prescribed route, that complaints or suggestions regarding service on the shuttle bus should be directed to the Chief Administrative Officer of the County, and that both the County and Transit Company are amenable to any feasible suggestions.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said matter was ordered filed.

Communication from the City Manager reporting on communication from Miss Van Voorhis Ryan, being copy of one sent by her to San Diego Transit System, relative to poor bus service at the U. S. Naval Hospital, was presented. Transmitted with the Manager's report was copy of communication from the Company stating that effective November 19 an additional bus was added to the service.

On motion of Councilman Wincote, seconded by Councilman Schneider, said matter was ordered filed.

Communication from the City Manager reporting on communication from Rear Admiral W. D. Baker, Commandant, Eleventh Naval District, requesting permanent easement for pipeline to serve the Naval Hospital, attaching copy of the Acting City Manager's reply to the effect that the City Attorney has ruled that the City cannot legally give a permanent easement, but that the City is willing to enter into agreement under which the City will maintain and place the 12-inch waterline as outlined in the City's communication to Commander L. C. Cox under date of June 13, 1951, also that the City in accepting the portion of the water line will see that an adequate supply of water will be furnished to the Navy but cannot agree to supply only the Navy Department from that line, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said matter was ordered filed.

Communication from the City Manager reporting on communication from San Diego Public Safety Committee secretary regarding desirability of establishing more one-way streets in the downtown business district, was presented.

Attached was copy of the Manager's reply which states that the Traffic Engineering Department is continuously watching and analyzing the traffic load in the central business district in order that appropriate recommendation can be made to the City Council when one-way streets are necessary.

RESOLUTION NO. 104503, recorded on Microfilm Roll No. 45, referring said matter to Council Conference for today, for the setting of a date for consideration of the problem, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the City Manager reporting on communication from Mrs. Ruth B. Stephens relative to increase of taxes on her property, and other problems in the Mission Beach area, was presented.

Attached was copy of the Manager's reply which points out that the City tax rate was held at last year's figure which is lower than the average rate for the last 10 years, and enclosed brochure mailed out with the tax bills showing that only 29¢ of each tax dollar is allocated to the City, and that appointed administrators as well as the Council are engaged in a constant effort to provide adequate facilities and services to the citizens of the community while at the same time keeping City taxes as low as possible, presenting an increasingly difficult problem in the face of the ever growing needs.

On motion of Councilman Schneider, seconded by Councilman Wincote, said matter was ordered filed.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, recommending that the request to close the 10 foot E-W alley between Florida Street and the N-S alley in Block 99 University Heights be denied, was presented.

RESOLUTION NO. 104504, recorded on Microfilm Roll No. 45, denying petition of San Miguel Hospital Association for the closing of the 10-foot East-and-West Alley, between Florida Street and the North-and-South Alley in Block 99 University Heights, as recommended by the Street Superintendent, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from San Diego County Water Authority submitting statement, as of June 30, 1951, of finances together with statement of water stored and delivered to member agencies, was presented. Said matter was ordered filed.

Communication from San Diego Municipal Employees' Association, dated November 23, 1951, signed by Ellen M. Murray, president, requesting the granting of a 10% wage increase for all City employees, effective January 1, 1952, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was referred to the City Manager.

Communication from W. D. Bocker, 1414 5th Avenue, San Diego 1, requesting permission to appear before the Council and be heard in connection with the proposed bus franchise, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, said communication was referred to the Mayor for notification.

Communication from Nell Doyle, who identified herself as a visitor to San Diego, making various suggestions relative to need for improvements in San Diego including a municipal auditorium, commenting on poor appearance of Glacier Gardens and the ball park as well as the ball park's location being out of place, need for a street tree planting program, water festivals, etc., was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was referred to the City Manager.

At this time Councilman Godfrey requested permission to have the next matter, which was not listed on the agenda, presented:

Unanimous consent was granted to Donald C. Norton, 2507 - 5th Avenue, who spoke. He told the Council about the problem in relation to parking, stating that people drive their cars to that location, lock them and go to the downtown area on the buses. That results, he said, in cars being left there all day. Mr. Norton said that several of the merchants in the area want parking meters installed. He presented letters from Studio Styles, signed by Muriel Clark; and from Wenman's Apparel, signed by Florence M. Wenman, requesting installation of the meters.

Councilman Dail said that the presentation is a reopening of an old petition. He reported that stalls preparatory to installation of meters had been painted, but had been halted through some opposition. He recommended placing the meters where wanted, eliminating them where the merchants do not want them.

The Mayor recognized Dr. Frank Lowe who had just entered the Council Chambers. He asked Dr. Lowe if he wished to be heard. Dr. Lowe replied that he endorsed the installation of the meters, and said that they would be of advantage to merchants in the neighborhood.

The City Manager said that the Traffic Engineer has been studying the problem, and that further study would be made to ascertain the wishes of all affected in the area and a recommendation thereon would be made to the Council.

RESOLUTION NO. 104505, recorded on Microfilm Roll No. 45, referring to the City Manager for study and report, the verbal requests of Donald C. Norton and Dr. Frank Lowe, together with communications from Studio Styles, 2473 Fifth Avenue, signed by Muriel Clark, and from Wenman's Apparel, signed by Florence M. Wenman, for installation of parking meters in the vicinity of 5th Avenue and Laurel Street, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 104506, recorded on Microfilm Roll No. 45, for installation of sewer mains in Balboa Avenue, Pasadena Street, Albuquerque Street, De Soto Street, Del Rey Street, Santa Fe Street, Pacific Highway and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 104055, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 104507, recorded on Microfilm Roll No. 45, for the furnishing of electric current for the lighting of the ornamental street lights located in Mission Beach Lighting District No. 2, together with maintenance of mast arms, wires and lamps, for a period of one year, to and including August 17, 1951, to and including August 16, 1952, to be done in strict accordance with plans and specifications contained in the Engineer's Report and Assessment filed October 15, 1951 in the office of the City

Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 104508, recorded on Microfilm Roll No. 45, for the furnishing of electric current for the lighting of the ornamental street lights located in Ocean Beach Lighting District No. 1, for a period of one year from and including August 14, 1951, to and including August 13, 1952, in strict accordance with plans and specifications contained in Engineer's Report and Assessment filed October 15, 1951 in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 104509, recorded on Microfilm Roll No. 45, for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Beach Lighting District No. 1, for a period of one year from and including September 1, 1951, to and including August 31, 1952, in strict accordance with plans and specifications contained in Engineer's Report and Assessment filed October 15, 1951 in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 104510, recorded on Microfilm Roll No. 45, for the closing of portion of 55th Street, more particularly described in said Resolution, determining that it is not deemed necessary that any land be taken therefor, setting out the exterior boundaries of the district of lands to be affected by said work and improvement and to be assessed to pay the damages, costs and expenses thereof, electing to proceed under the provisions of the "Street Opening Act of 1889", was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 104511, recorded on Microfilm Roll No. 45, for the grading, paving, etc., of Commonwealth Avenue, Laurel Street and Boundary Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 104512, recorded on Microfilm Roll No. 45, for the changing of the grade on portion of Hugo Street more particularly described in said Resolution, including portion of Plum Street, electing to proceed under the provisions of the "Change of Grade Act of 1909", was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104513, recorded on Microfilm Roll No. 45, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on paving and otherwise improving of the Alley in Block 2 Subdivision of Lots 7 to 17 inclusive Block N Teralta, within the limits and as particularly described in Resolution of Intention No. 103135, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104514, recorded on Microfilm Roll No. 45, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Coronado Avenue, Del Mar Avenue and Orchard Avenue, within the limits and as particularly described in Resolution of Intention No. 103210 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104515, recorded on Microfilm Roll No. 45, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of 33rd Street, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 103207 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104516, recorded on Microfilm Roll No. 45, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Jewell Street, within the limits and as particularly described in Resolution of Intention No. 102015 and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer pursuant to directions from the Council, dated November 20, 1951; directing the City Clerk at the same time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104517, recorded on Microfilm Roll No. 45, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Riley Street, within the limits and as particularly described in Resolution of Intention No. 102629 and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer pursuant to directions from the Council, which diagram is dated November 20, 1951; directing the City Clerk at the same time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104518, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to do all the work in connection with the construction of weirs to measure the flow characteristics of sewage in trunk lines of the City, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City has recommended said construction and has submitted estimates for the work and indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 104519, recorded on Microfilm Roll No. 45, authorizing the Property Supervisor to file a petition with the Board of Supervisors of the County of San Diego, requesting that all taxes against the property more particularly described in said Resolution, being in Amalfi, Villa Tract, La Jolla Park, Lexington Park, Pueblo Lots 1286 and 1287, DePuy's Subdivision, Old San Diego, et al, be cancelled together with all penalties and other expenses, and that all deeds to the State of California for delinquent taxes thereon be cancelled, authorizing and directing the Property Supervisor to take whatever steps he may deem necessary otherwise to secure the cancellation of said taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104520, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to enter into contract for and on behalf of The City of San Diego with Jackson & Scott, Inc., a corporation, subdividers of Woodland Terrace No. 2, providing for installation of water mains and appurtenances, wherein and whereby it is agreed that the City has complied with the contract and has furnished materials in the sum of \$3935.12 which offsets the difference in cost between the water mains and appurtenances required to be installed in the subdivision and the larger size mains and appurtenances required by the City, and that the subdivider shall execute and deliver to the City a quitclaim deed conveying to the City all of the right, title and interest of the subdividers in and to the water distribution system in said Woodland Terrace No. 2, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104521, recorded on Microfilm Roll No. 45, accepting quitclaim deed executed on the 31st day of October, 1951, by Jackson & Scott, Inc., a corporation, quitclaiming to The City of San Diego all water mains and appurtenant structures located on public streets, rights of way, highways and public places, either within or without the subdivision named Woodland Terrace No. 2, being portion of Pueblo Lots 103 and 144; authorizing and directing the City Clerk to file said deed together with certified copy of said Resolution for record in the office of the County Recorder, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104522, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to enter into agreement for and on behalf of The City of San Diego with San Diego Veterans' War Memorial Building, Inc., whereby the corporation shall provide social, cultural, educational and recreational facilities for the benefit of all veterans, veterans' patriotic organizations, and other residents of The City of San Diego, in the San Diego Veterans' War Memorial Building located in Balboa Park, The City to make reimbursement in amounts not to exceed \$200.00 per month, upon terms and conditions set out in form of agreement on file in the office of the City Clerk as Document No. 441368; rescinding Resolution No. 104298 adopted November 8, 1951, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104523, recorded on Microfilm Roll No. 45, approving request of H. H. Peterson and recommendation of the City Engineer approved by the City Manager, contained in Document No. 441370 on file in the office of the City Clerk, granting extension of time to H. H. Peterson of 60 days to and including December 25, 1951, in which to complete contract for construction of concrete work, backflow protection unit, sewage treatment plant, which contract is contained in Document No. 437872 on file in the office of the City Clerk, waiving provisions of specifications for said work with respect to liquidated damages until termination of the contract period as extended, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104524, recorded on Microfilm Roll No. 45, approving request of H. H. Peterson and recommendation of the City Engineer approved by the City Manager, contained in Document No. 441372 on file in the office of the City Clerk, granting extension of time to H. H. Peterson of 50 days to and including December 11, 1951, in which to

complete contract for construction of 5 sewer crossings across Torrey Pines Road between Viking Way and Ardath Road, contract contained in Document No. 437785 on file in the office of the City Clerk, extending time of completion to December 1, 1951, waiving provisions of specifications with respect to liquidated damages until termination of contract period as extended, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104525, recorded on Microfilm Roll No. 45, approving request of A. F. Anderson dated October 30, 1951, (Change Order No. 3), for extension of time of 60 days to and including December 27, 1951, heretofore filed with the City Clerk as Document No. 441374 in which to complete contract for construction of rest rooms at Santa Clara Point, which contract is contained in Document No. 438468 on file in the office of the City Clerk, until December 27, 1951, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104526, recorded on Microfilm Roll No. 45, approving request of Walter H. Barber dated November 7, 1951 (Change Order No. 3), in connection with contract for construction of an outfall sewer at 28th and Main Streets, contract contained in Document No. 434680 on file in the office of the City Clerk, changes amounting to increase in contract price of \$922.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104527, recorded on Microfilm Roll No. 45, approving request of Jack W. Brem, dated November 13, 1951 (Change Order No. 1), for extension of time of 90 days from and after completion of contract with Moffitt & Waddington for installation of plumbing in Division 8 Mt. Hope Cemetery, filed with the City Clerk as Document No. 441378 in which to complete contract for landscaping, and which contract is contained in Document No. 439437 on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager recommending granting an excess-width driveway to California Electric Works on 7th Avenue between Island Avenue and J Street, adjoining existing 19-foot driveway at the location, to replace an existing loading zone at the curb to facilitate loading operations in an area entirely confined to commercial and industrial operations, was presented.

RESOLUTION NO. 104528, recorded on Microfilm Roll No. 45, granting permission to California Electric Works, 424 Eighth Avenue, to remove 19 feet of curb on the east side of Seventh Avenue between points 100 feet and 119 feet north of the north line of J Street, adjacent to Lot D Block 111 Horton's Addition, in accordance with all rules, regulations and ordinances of The City of San Diego governing same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104529, recorded on Microfilm Roll No. 45, granting permission to Sears, Roebuck & Company, 2650 East Olympic Boulevard, Los Angeles 54, to install 8 29-foot driveways as measured at the top of the full-height curb on the northerly side of Cleveland Avenue, between Richmond Street and Vermont Street, also 1 55-foot driveway and 3 29-foot driveways as measured at the top of the full-height curb on the westerly side of Richmond Street between Cleveland Avenue and Washington Street, adjacent to Block 186 and portion of Block 183 University Heights, to provide access to 3 parking lots having a total capacity of 977 cars, on the various conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager accompanied said Resolution, together with set of plans and letter requesting permission to install the 12 driveways, recommending adoption of the Resolution.

Communication from the City Manager recommending granting excess width driveway to W. W. Inglett at Mission Boulevard and Turquoise Street to provide access to service station where two smaller driveways separated by short length of curb would not be practicable, was presented.

RESOLUTION NO. 104530, recorded on Microfilm Roll No. 45, granting permission to Supreme Oil Company, by W. W. Inglett, 3514 Rosecrans Street, San Diego 10, to install a 60-foot driveway as measured at the top of the full-height curb on the westerly side of Mission Boulevard between points 48 feet and 108 feet south of the southerly line of Turquoise Street, adjacent to Lots 24 to 26 inclusive Block 1 Ocean Villa Tract, subject to the conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104531, recorded on Microfilm Roll No. 45, authorizing and empowering the Mayor and City Clerk to execute for and on behalf of, and as the act and deed of, The City of San Diego, a quitclaim deed quitclaiming to Gus Shaw and Hattie E. Shaw, husband and wife, Lots 7 and 8 Block 28 Campo Del Dios No. 1; authorizing and directing the City Clerk to deliver said quitclaim deed to the property supervisor of the City with instructions that the same be delivered to the grantees upon receipt by the City of a deed

granting to the City Lot 1 Block 94 Campo Del Dios No. 4, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Said Resolution recites that the City desires to acquire Lot 1 Block 94 Campo Del Dios No. 4 in connection with Super Hodges Reservoir Project, that the Shaws are willing to deed the same to the City in exchange for 7 and 8 Block 28 Campo Del Dios No. 1 heretofore acquired by the City by tax deed, that the values of the properties are not disproportionate and that it will be for the best interests of the City to make the exchange.

RESOLUTION NO. 104532, recorded on Microfilm Roll No. 45, authorizing and empowering the Mayor and City Clerk to execute for and on behalf of, and as the act and deed of, The City of San Diego, a quitclaim deed quitclaiming to John J. Walsh and Mae B. Walsh, husband and wife, as joint tenants, Lot 3 Block 18 Valencia Park Unit No. 2; authorizing and directing the City Clerk to deliver said quitclaim deed to the property supervisor of the City with instructions that the same be delivered to them upon receipt by the City of a deed granting to the City the northeasterly 100 feet of portion of Lot 264 of the Pueblo Lands, more particularly set forth in said Resolution, together with the sum of \$800.00, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Said Resolution recites that The City is desirous of acquiring said portion of Pueblo Lot through which the proposed Tecolote Canyon Road will be extended, that the value of said property as determined by a qualified real estate appraiser is the sum of \$1200.00 and that the value of the City's Lot 3 Block 18 Valencia Park Unit No. 2 is the sum of \$2000.00, that the owners of the portion of the Pueblo Lot are willing to deed said property to the City and to pay to the City the sum of \$800.00 in exchange, and that the City Manager has recommended such exchange.

Prior to taking up the Ordinance in connection with the Pound, the impounding of animals, regulating dogs, etc., the City Manager requested unanimous consent to present the next matter of business not listed on the agenda:

RESOLUTION NO. 104533, recorded on Microfilm Roll No. 45, authorizing Mayor John D. Butler, Councilmen Charles C. Dail and George Kerrigan to attend the AMA Convention, to be held in Washington, D.C., December 10 to 13, inclusive, 1951, authorizing the incurring of all necessary expenses in connection with said trip, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

At this time the proposed Ordinance providing for a City Pound and the impounding of certain animals; providing for licensing, regulation and care of dogs, providing for control of rabies and providing for regulation of dog kennels; prescribing penalty for violation and repealing various ordinance, was presented.

For the benefit of a large group of persons in attendance at the meeting, interested in the subject, the Mayor told of the previous consideration given to the subject. He said that a full and adequate public hearing had been held and that it had been concluded. He said that the results of the consideration at the hearing, in conference and various suggestions heretofore made would come up for consideration at this time. He said that the Council has considered the stand in relation to compulsory vaccination included in the Ordinance. He recited the successful operation of the requirement for vaccination in various cities throughout the country. He said that there would be a slight charge made for the vaccination, above the cost of the vaccine. He said that the public good is being considered in the matter of vaccination. The Mayor made reference to charges which he had heard made in regard the requirement being enacted for the benefit of the veterinarians. That charge, he said, is ridiculous, and that only the public welfare was being considered.

Mrs. E. H. Dowell spoke, and said that dog owners want to ask regarding the compulsory vaccination.

The Mayor told Mrs. Dowell that a re-hearing would not be held, but said that if she wished to ask a question to clarify points in the ordinance she might do so and that the questions would be answered.

Mrs. Dowell thanked the Mayor for the courtesy, and identified herself as president of the California S.P.C.A. (Society for Prevention of Cruelty to Animals). She asked how the Council could require vaccination when animals are kept under proper control.

There was a verbal demonstration from members of the audience, but Mrs. Dowell asked that they desist so that she might get the answer. The Mayor also asked the sergeant at arms to remove persons who were disrupting the meeting, during the vocal demonstration.

The Mayor said that there is no absolute answer to Mrs. Dowell's question.

Councilman Dail spoke about his personal reaction to the vaccination requirement, which he opposes, but said that he goes along with the Council.

Councilmen Schneider and Godfrey expressed their views at this time. Councilman Schneider said that a full hearing had been conducted (he presided, as Vice Mayor). Councilman Godfrey said that he as an individual Councilman welcomed questions and added that there is a percentage of dog owners controlling their dogs, but that such a percentage is regrettably small. He referred to the time between dogs being picked up and the time that they have been at large.

Dorothy L. Smith, 3554 Sidney Place, asked if the anti-vivisection clause is included in the draft of the Ordinance up for consideration at this time. The Mayor and the City Attorney said that the clause had been deleted, inasmuch as the subject is covered under the State law.

Matthew Brown, 3930 - 33rd Street, said that he is concerned about his dog destroying neighbors' property. He asked the Council what would happen if that were the case. Councilman Dail replied that Mr. Brown would be liable.

Mrs. Lydia Campbell, of Del Mar, spoke about damage to her dogs by vaccination. She said she wanted to know if it is fair to old and ailing dogs to require their vaccination. The Mayor replied that the Ordinance would not apply in Del Mar, where Mrs. Campbell resides, and that there are no exceptions in the City.

Mrs. Grace Lounsberry, 4038 - 48th Street, asked about the time for reclaiming dogs which have been picked up. The answer was 5 days for licensed dogs; shorter period for those unlicensed.

Harry G. Hart, a breeder of toy dogs, asked the Council if a friendly suit to test the Ordinance would be favored. He amplified his question by saying that he did not mean after there had been an infraction of the provisions and arrests made, but a suit filed soon to test the validity of the legislation.

The Mayor said that he or anyone else is at liberty to file such a suit.

Lowell Davies, representing the Dog Owners' Protective Association, said that his group would be happier without making any testimony. He said that there is 100% opposition to the Ordinance by the Association, due to the inclusion of compulsory vaccination. Mr. Davies expressed appreciation for the consideration given to the list of written suggestions filed at the time of the formal hearing.

Evelyn Kobelin told of her mother having been bitten by her own dog in her (Mrs. Kobelin's) absence, and of the simple treatment. She asked why the Council is allowing Dr. Askew, Public Health Director, to "fill the Council full of this".

The Mayor told Mrs. Kobelin that she was out of order, and reminded her that no hearing was being conducted, but said that if she wished to ask a question on the Ordinance as others had done, she might do so.

Mrs. Kobelin attempted to continue with derisive statements, whereupon the Mayor asked her to take her seat.

A. B. McLaughlin, of El Cajon, asked what the action would be if owners refused to comply with the vaccination provisions.

The Mayor outlined the procedure which would be followed under terms of the penalty section of the Ordinance.

Paul W. White, 4545 - 45th Street, asked the Council if the Ordinance had been based upon recommendations of the Health Department.

The Mayor's reply was in the affirmative.

Mr. White asked Dr. Askew what he would recommend for dog bite.

Dr. Askew said that when physicians ask the Health Department for recommendations, the department makes them. He said, also, that he would want the dog under observation for 14 days following its having bitten someone. He said he would recommend the Pasteur treatment, if the dog can be found. He said he would recommend immediate treatment, if a bit would be at a high position on the body. He pointed out that the Health Department does not give anti-rabies treatments. He said that there would be immediate first aid treatment.

Mr. White asked the Council if members were aware that the modern treatment for dog bites is now soap and water. He charged railroading of the Ordinance.

Councilman Godfrey disagreed with Mr. White that the Ordinance had been railroaded. He said that a great deal of study had been given to the question by both sides, for months.

Mrs. Fred Sharp asked why the Council would not force owners to take care of their dogs.

The Mayor replied to Mrs. Sharp that a program such as Mrs. Sharp proposed would require such a staff that it would break the City.

Although the Mayor attempted to close off the discussion, Councilman Godfrey continued talking, and said that questions are a good thing. He referred to food laws and their enforcement, and of certain required checking before illness sustain - not afterward. He said that an ounce of prevention is needed.

Councilman Swan questions from Dr. Askew.

Dr. Askew answered Mr. Swan on his questions about vaccination and licensing. He said that the effect would be the same in the issuance of licenses without vaccination, as drivers apprehended without licenses.

Councilman Swan said that he was serving notice that he will propose repeal of the Ordinance or sections which are found to be unworkable.

ORDINANCE NO. 4992 (New Series), recorded on Microfilm Roll No. 45, providing for a City Pound and the impounding of certain animals; providing for the licensing, regulation and care of dogs; providing for the control of rabies and providing for the regulation of dog kennels; prescribing penalty for violation of its provisions; repealing Ordinances numbered 292 (New Series), adopted September 5, 1933; 343 (New Series), adopted October 30, 1933; 344 (New Series), adopted October 30, 1933; 437 (New Series), adopted April 30, 1934; 572 (New Series), adopted December 18, 1934; 618 (New Series), adopted March 12, 1935; 2508 (New Series), adopted August 11, 1942; 2923 (New Series), adopted December 26, 1944; 2887 (New Series), adopted September 26, 1944; 3831 (New Series), adopted August 17, 1948; and 4433 (New Series), adopted June 8, 1950, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4993 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$2,500.00 from the Unappropriated Balance Fund, and transferring the same to Maintenance and Support, City Clerk's Fund, was on motion of Councilman Dail, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Dail, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4994 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$1,400.00 from the Unappropriated Balance of The City of San Diego, and transferring the same to Materials and Supplies, Activity 37.2, Maintenance of Automotive Equipment, Auto Shops Division, Department of Public Works Fund, for the purpose of providing funds for the construction and installation of mudguards on certain trucks, as required by Section 678.5 of the Vehicle Code of the State of California, was on motion of Councilman Dail, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4995 (New Series), recorded on Microfilm Roll No. 45, dedicating certain public land being a portion of Lot 11 Block 1 Amalfi, for a portion of public highway and naming the same Torrey Pines Road, which portion is more particularly described in said Ordinance, repealing all ordinances or parts of ordinances in conflict, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

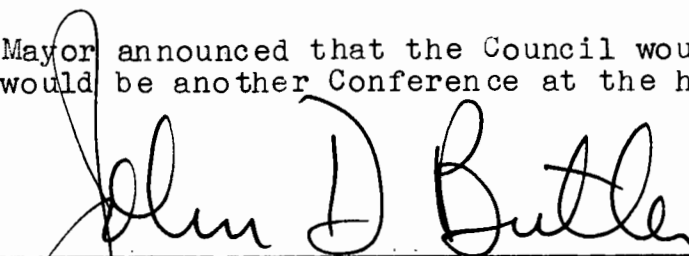
Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4996 (New Series), recorded on Microfilm Roll No. 45, dedicating certain public land as and for portions of a public highway across portions of Pueblo Lot 212 and across portions of Lots B and C Loma Alta No. 2 and naming the same West Point Loma Boulevard, repealing all ordinances or parts of ordinance in conflict, was on motion of Councilman Dail, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

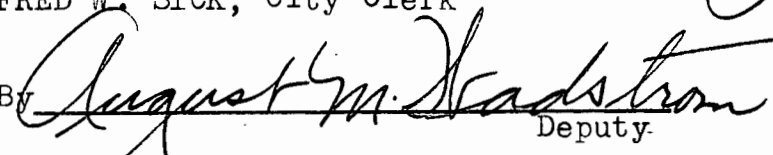
On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the meeting was adjourned, inasmuch as there was no further business to come before the Council at this time.

Upon adjourning, the Mayor announced that the Council would go into Conference immediately, and that there would be another Conference at the hour of 2:00 o'clock this date.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 

Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, November 29, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

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

Petition of AMVETS, East San Diego Post No. 5, signed by Joe E. Farmer, Commander, 3064 Myrtle, requesting permission to conduct its annual "White Clover" sale on the streets, on December 7 and 8, was presented.

A motion was made to refer the petition to the City Manager, but attention was called to the fact that the event is scheduled to take place within a few days, and that it would probably be impossible to have the petition cleared through the regular channels in time. The motion was changed, to the following:

RESOLUTION NO. 104534, recorded on Microfilm Roll No. 45, referring petition of AMVETS, East San Diego Post No. 5, signed by Joe E. Farmer, Commander, 3064 Myrtle, for permission to conduct its annual "White Clover" sale, proceeds from which go to aid veterans and veterans' families, on the streets for the dates of December 7 and 8, 1951, to the City Manager with power to act, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Claim of Lillian May McPherson, 140 West Thorn Street, San Diego, in the sum of \$2800.00, for personal injuries sustained in fall on the sidewalk, was presented.

RESOLUTION NO. 104535, recorded on Microfilm Roll No. 45, referring claim of Lillian May McPherson to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Claim of Stanley S. Ziegler, 3789 - 39th Street, San Diego 5, in the sum of \$59.11, for damage to his automobile in a ditch which had been refilled with dirt and become filled with water, was presented.

RESOLUTION NO. 104536, recorded on Microfilm Roll No. 45, referring claim of Stanley S. Ziegler to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Claim of Louis Ballinger, 4730 Vista St., San Diego, in the sum of \$39.75, for damage to his automobile when struck by a City truck, was presented.

RESOLUTION NO. 104537, recorded on Microfilm Roll No. 45, referring claim of Louis Ballinger to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Petition of Ned J. Stewart and Abe H. Aronsohn, being applications for permission to operate a cabaret and to conduct public dancing under Class "A" license at Sherman's, was presented, together with recommendations for approval from the interested City departments.

RESOLUTION NO. 104538, recorded on Microfilm Roll No. 45, granting permission to Ned J. Stewart and Abe H. Aronsohn to conduct a cabaret with paid entertainment at Sherman's, 402 West C Street, where liquor is sold, subject to regular license fee and to compliance with existing regulations, was on motion Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104539, recorded on Microfilm Roll No. 45, granting application of Ned J. Stewart and Abe H. Aronson for Class "A" license to conduct public dance at Sherman's, 402 West C Street, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, addressed to the City Manager, approving the proposed annexation of portions of Lots 75 and 79 and all of Lots 47, 81, 82, 83, 92 and 93 of Las Alturas Villa Sites, and making a general report on the subject, was presented.

RESOLUTION NO. 104540, recorded on Microfilm Roll No. 45, granting permission to start annexation proceedings under the provisions of the Annexation Act of 1913, as amended, for annexation of portions of Lots 75 and 79 and all of Lots 74, 81, 82, 83, 92 and 93 of Las Alturas Villa Sites (Donna Estates), to David L. Jensen, 5204 Bonita

Drive, San Diego, William P. Hudson, 5202 Bonita Drive, San Diego, and Lillian M. Jensen, 5208 Bonita Drive, San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Councilman Godfrey entered the meeting at this time.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 4 sections of the Subdivision Ordinance in connection with the Tentative Map of Ridgeview Unit No. 2, was presented.

RESOLUTION NO. 104541, recorded on Microfilm Roll No. 45, suspending Sections 3I2, 4A8 and 6, 5C of the Subdivision Ordinance in connection with the Tentative Map of Ridgeview Unit No. 2, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Ridge View Unit No. 2, a subdivision of portion of Lot 3 Horton's Purchase and portion of Lot 22 Wadsworth's Olive Grove, consisting of 32 lots, lying easterly of Fairmount Avenue and southerly of Home Avenue, and immediately adjoining Unit No. 1 of Ridge View, subject to 11 conditions, was presented.

RESOLUTION NO. 104570, recorded on Microfilm Roll No. 45, approving Tentative Map of Ridge View Unit No. 2, subject to conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending granting petition of the City School Board for rezoning of the northwest quarter of Lot 28 Ex-Mission Lands, at the southeast corner of 47th and A Streets immediately north of Chollas View Elementary School, from the existing R-1 Zone to R-2, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending rezoning (instigated by the Planning Commission), from R-1, R-2 and C to R-4, C and CP of portion of Lot 53 Ex Mission Lands and portion of Lot 1 Las Alturas Villa Sites, portion of which has recently been ^{annexed} to the City at the southwest corner of Churchward and Euclid Avenue, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending denial of petition of John Zweck for rezoning Lots 1 through 8 Block 4 of Park Addition, located on the west side of 30th Street at the south end of the 30th Street bridge, from the existing R-1 zone to Zone R-4, was presented.

The report stated that it was the unanimous recommendation of the Planning Commission that the petition be denied without further hearing, in that the development of the property can be handled by a zone variance which seems agreeable to all the property owners concerned.

RESOLUTION NO. 104542, recorded on Microfilm Roll No. 45, denying petition of John Zweck and Cleo J. Zweck for rezoning Lots 1 through 8 Block 4 Park Addition, from Zone R-1 to Zone R-4, as recommended by the City Planning Commission, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending denial of petition of John Zweck for establishment of a 6-foot setback on the north side of Maple Court on Lots 1 through 8 in Block 4 Park Addition, being westerly of 30th Street at the south end of the 30th Street bridge, formerly an alley that was widened to 30 feet by dedication of 5 feet of adjoining properties, being a short dead-end street upon which there are no sidewalks.

The report stated that it was the unanimous recommendation of the Planning Commission that the petition be denied without further hearing, in that the matter of setback and rezoning can be handled by zone variance agreeable to all property owners involved.

RESOLUTION NO. 104543, recorded on Microfilm Roll No. 45, denying petition of John Zweck and Cleo J. Zweck for establishment of a six-foot setback on the north side of Maple Court, on Lots 1 through 8 in Block 4 Park Addition, as recommended by the City Planning Commission, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending that the Council make a finding similar to that made by the Commis-

sion that the proposed use of property at 4637 El Cajon Boulevard by Richard Kieninger for building a showroom and workshop to produce custom-made furniture, upon various conditions, is similar to and not more obnoxious or detrimental to the welfare of the area than other permitted uses in C Zone, was presented.

The proposed Resolution which accompanied the recommendation, was read to the Council at its request by the Clerk.

RESOLUTION NO. 104544, recorded on Microfilm Roll No. 45, finding and determining that the use of the property, by Richard Kieninger, at 4637 El Cajon Boulevard (Lot 3 Block 4 Chester Park) in Zone C, for a showroom and workshop to produce custom-made furniture is not more obnoxious or detrimental to the welfare of the particular community than are the permitted uses in C Zone; provided that the total horse power of electrically operated wood-working equipment be limited to 5 horse power; that the hours of operation be limited to the hours between 8:00 A.M. and 6:00 P.M., and that there be no employees used in the manufacture or fabrication of the furniture, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

** Communication from the Planning Director recommending acceptance of easements from C. S. Kirchmaier, owner of parcels 18 and 19, in Block 294 Pacific Beach, for street purposes, in connection with zone variance granted by the Zoning Committee, was presented. On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said recommendation for acceptance was adopted. (See later action, under a re-consideration motion)

Communication from James A. Austin, Trailer #75, Sunset Auto Court, 4570 Pacific Highway, San Diego 10, suggesting that the Federal Government pay the entire cost of the "Second Barrel" of water from the Colorado River, and stating his reasons therefor, etc., was presented.

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

Communication from Humphrey P. Lane, 3133 El Cajon Boulevard, asking specific questions in connection with proposal of the Council to place before the voters of San Diego a bond issue in the amount of \$6,500,000.00 (for Sutherland Dam), relative to amount allocated for acquisition of land, amount allocated for actual construction of Sutherland Dam and transmission line to San Vicente, and amount allocated to purchase of lands that are in the San Dieguito River Valley but are below the site of Sutherland Dam, was presented. The Clerk, by request, read the list of questions, to the Council.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said communication was referred to the City Manager.

(Councilman Kerrigan asked the Clerk for a list of the questions contained in the letter. The Clerk had a copy of the letter made following the meeting, which copy was furnished to Mr. Kerrigan).

Communication from San Diego County Dental Society, dated November 26, 1951, signed by Dr. James P. Verneti, President, 543 Orange Ave., Coronado, California, was presented.

Said communication said that in compliance with request from the Council, the Society submits in form of a letter its approval of fluoridation, the following statement approving fluoridation of the communal water supplies, was quoted:

"The majority of scientific dental opinion is that most dental decay is the result of excessive consumption of refined carbohydrates. The society recognizes that these unfavorable dietary habits cannot be easily corrected in a short period of time. Other methods of reducing dental decay are known. The foremost of these at present is fluoridation of communal water supplies. The San Diego County Dental Society has endorsed the principle of fluoridation of communal water supplies and is favorable to its inclusion in the San Diego water systems. In compliance with a request by Dr. J. B. Askew, Director of Public Health, County of San Diego, a three man committee consisting of Drs. John Steen, Carlton Williams, and Charles Smith was appointed and met with a three man committee from the San Diego County Medical Society. These men recommend that at the present time 1 part per million of fluoride should be maintained in the communal water supply."

The communication offered further services of the Dental Society. On motion of Councilman Godfrey, seconded by Councilman Dail, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated November 23rd, 1951, signed by J. M. MacConnell, reporting on claim of Keith G. Collins, advising that the case had been closed by payment of \$14.75 on November 21, 1951, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated November 23rd, 1951, signed by J. M. MacConnell, reporting on claim of Kenneth R. Conger, advising that the case had been closed by payment of \$251.53 on November 15th, 1951, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated November 23rd, 1951, signed by J. M. MacConnell, reporting on claim of Harvey L. Patten, Jr., advising that the case had been closed by payment of \$2.34 on November 14th, 1951, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated November 23rd, 1951, signed by J. M. MacConnell, reporting on claim of Robert T. Freister, advising that the case had been closed by payment of \$33.76 on November 19th, 1951, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated November 23rd, 1951, signed by J. M. MacConnell, reporting on claim of T. B. Shows, advising that the case had been closed by payment of \$12.50 on November 7th, 1951, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated November 23rd, 1951, signed by J. M. MacConnell, reporting on claim of Reno N. Wheatcraft, advising that the case had been closed by payment of \$8.50 on November 19th, 1951, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated November 23rd, 1951, signed by J. M. MacConnell, reporting on claim of Donald K. Miller, advising that the case had been closed by denial on November 16th, 1951, was presented.

RESOLUTION NO. 104545, recorded on Microfilm Roll No. 45, denying claim of Donald Kline Miller, by his attorney, Maury H. Sanborn, 2601 South Figueroa Street, Los Angeles 54, California, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Pacific Indemnity Company, dated November 23rd, 1951, signed by J. M. MacConnell, reporting on claim of Ernest F. VonDriden, advising that the case had been closed by cancellation on November 16th, 1951, was presented.

RESOLUTION NO. 104546, recorded on Microfilm Roll No. 45, denying claim of Ernest F. Von Dreden, 4792 Arizona Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

** The City Planning Director asked the Council for reconsideration of its action in connection with his communication recommending acceptance of deed from C. S. Kirchmaier in exchange for land with the City in Block 294 Pacific Beach, to provide ingress and egress to various properties in the block, now not served by adequate street. He referred to hearings held, negotiations between the Planning Department and property owners in block. He said that what appeared to be a satisfactory arrangement had been entered into, but that two other property owners now are objecting. Therefore, he recommended referring the matter back to his office.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said matter was referred back to the Planning Department.

Communication from the City Manager recommending granting excesswidth driveway permit to Travers Carey, on Fir Street between Second and Third Avenues, to serve 10-unit apartment to be built, with off-street parking for 7 cars, was presented.

RESOLUTION NO. 104547, recorded on Microfilm Roll No. 45, granting permission to Travers Carey, 4110 James Street, La Mesa, California, to remove 76-1/2 feet of curb on the north side of Fir Street between points 7 feet and 46 feet; points 51 feet and 76 feet; points 87-1/2 and 100 feet east of the east line of Second Avenue, for the installation of 3 driveways adjacent to Lot F Block 232 Horton's Addition, in accordance with all rules, regulations and ordinances of The City of San Diego governing same, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104548, recorded on Microfilm Roll No. 45, granting permission to Mrs. R. E. Williams, 865 Albion Street, San Diego, to install a 4" cast iron sewer line in public alley, 2 feet outside the property line and run in a westerly direction parallel to the northerly lines of Lots 14, 15 and 16 Block 14 Roseville Subdivision, to point of intersection with public sewer, to serve property at 865 Albion Street, subject to approval of San Diego Department of Public Health and of the City Manager, upon express condition that The City be held free and clear of any claim for damages by reason of installation, operation and maintenance of the line, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104549, recorded on Microfilm Roll No. 45, approving and allowing bill of San Diego Junior Chamber of Commerce, bearing date of November 23, in the sum of \$250.00 for expenses incurred in connection with the City of San Diego's share of the Tournament of Roses Parade float cost; authorizing requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1951-52 for said sum, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104550, recorded on Microfilm Roll No. 45, accepting subordination agreement, executed by Central Federal Savings and Loan Association of San Diego, beneficiary, and Southern Title and Trust Company, trustee, bearing date October 15, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 18 and 19 Block 4 Berkeley Heights, to the right of way and easement for street purposes heretofore conveyed to The City; authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104551, recorded on Microfilm Roll No. 45, accepting subordination agreement, executed by Solon S. Kipp, W. E. Starke and K. L. Mark, beneficiaries, and Della A. Kipp, Cecilia G. Starke and Sylvia N. Mark, trustee, bearing date October 31, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 48 Block 57 H. M. Higgins' Addition, to the right of way and easement for storm drain purposes heretofore conveyed to The City; authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104552, recorded on Microfilm Roll No. 45, accepting subordination agreement, executed by Solon S. Kipp, W. E. Starke, beneficiaries, and Della A. Kipp, Cecilia G. Starke, trustees, bearing date October 31, 1951, wherein said parties subordinate all right, title and interest in and to a portion of Lots 1 and 2 Block 57 H. M. Higgins Addition, to the right of way and easement for storm drain purposes heretofore conveyed to The City; authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104553, recorded on Microfilm Roll No. 45, accepting subordination agreement, executed by Charles W. Pope, beneficiary, and Southern Title and Trust Company, trustee, bearing date November 5, 1951, wherein said parties subordinate all right, title and interest in and to a portion of Lots 18 and 19 Block 4 Berkeley Heights, to the right of way and easement for street purposes heretofore conveyed to The City; authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104554, recorded on Microfilm Roll No. 45, accepting subordination agreement, executed by LaVerne Sellers and Thelma Garrett, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date November 8, 1951, wherein said parties subordinate all right, title and interest in and to a portion of Pueblo Lot 339, to the right of way and easement for sewer purposes heretofore conveyed to The City; authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104555, recorded on Microfilm Roll No. 45, accepting subordination agreement, executed by August Weischedel and Bena D. Weischedel, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date November 1, 1951, wherein said parties subordinate all right, title and interest in and to a portion of Pueblo Lot 339, to the right of way and easement for sewer purposes heretofore conveyed to The City; authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104556, recorded on Microfilm Roll No. 45, accepting deed of John J. Maguire, Jr. and Eleanor B. Maguire, bearing date November 14, 1951, conveying an easement and right of way for street purposes in portion of Lot 13 Cave and McHatton Subdivision, setting aside and dedicating the same to the public use as and for a public street, and naming the same 58th Street; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104557, recorded on Microfilm Roll No. 45, accepting deed of Louis H. Ruiz and Casimira E. Ruiz, bearing date September 20, 1951, conveying a portion of Lot 2 Block 380 Old San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104558, recorded on Microfilm Roll No. 45, accepting deed of Suy Tang Yee and Goey Siem Yee, bearing date October 26, 1951, conveying a portion of Lot B in Pueblo Lot 285, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104559, recorded on Microfilm Roll No. 45, accepting deed of M. R. Essery, bearing date November 2, 1951, conveying an easement and right of way for street purposes in portion of Lot 20 Block 4 Berkeley Heights, setting aside and dedicating the same to the public use as and for a public street, and naming the same Rex Avenue; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104560, recorded on Microfilm Roll No. 45, accepting deed of M. R. Essery, bearing date November 2, 1951, conveying an easement and right of way for street purposes in portion of Lot 27 Block 1 Berkeley Heights, setting aside and dedicating the same to the public use as and for a public street, and naming the same Rex Avenue; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104561, recorded on Microfilm Roll No. 45, accepting deed of Arthur J. Hayes and Mildred A. Hayes, bearing date October 10, 1951, conveying an easement and right of way for street purposes in portion of Lots 28 and 29 Block 1 Berkeley Heights, setting aside and dedicating the same to the public use as and for a public street, and naming the same Rex Avenue; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104562, recorded on Microfilm Roll No. 45, accepting deed of Lowell A. Pope and Charlotte C. Pope, bearing date October 5, 1951, conveying an easement and right of way for street purposes, setting aside and dedicating the same to the public use as and for a public street, and naming the same Rex Avenue; authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104563, recorded on Microfilm Roll No. 45, accepting deed of Luellah C. Barlow and Bruce Nave Barlow, bearing date November 16, 1951, conveying Lot 19 Block 27 Ocean Beach Park, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabaska Drive; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104564, recorded on Microfilm Roll No. 45, accepting deed of Ed A. Sears, bearing date November 20, 1951, conveying Lots 9, 10, 11, 12 and portions of Lots 4, 6, 7, 8, 14 and 16 Block 4 J. M. DePuy's Subdivision of the West Half of the Northwest Quarter of Pueblo Lot 206, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabaska Drive; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104565, recorded on Microfilm Roll No. 45, accepting deed of Sidney G. Evans, bearing date August 23, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 4, 5 and 6 Juan Street Addition; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104566, recorded on Microfilm Roll No. 45, accepting deed of Ethel L. Garrett, bearing date August 21, 1951, conveying easement and right of way for sewer purposes in portion of Lot 5 Juan Street Addition; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104567, recorded on Microfilm Roll No. 45, accepting deed of Betha Williams, August Weischedel, Bena D. Weischedel, Isiah Williams and Fannie B. Williams, bearing date October 30, 1951, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 339; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104568, recorded on Microfilm Roll No. 45, accepting deed of Rickard Bostrom and Agnes O. Bostrom, bearing date September 12, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 1 and 2 Block 57 H. M. Higgins' Addition; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104569, recorded on Microfilm Roll No. 45, accepting deed of Rickard Bostrom and Agnes O. Bostrom, bearing date September 12, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 48 Block 57 H. M. Higgins' Addition; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104570 - will be found on page 233 of these Minutes.

ORDINANCE NO. 4997 (New Series), recorded on Microfilm Roll No. 45, amending Section 12 of Ordinance No. 2776 (New Series) - (Election Code) - as amended, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider. Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

Prior to passage and adoption of Ordinance No. 4997 (New Series) the City Attorney explained its purpose and effect, in connection with permissible consolidation by the City with other political agencies. Asked by Councilman Swan if that meant the City could consolidate an election with the Board of Educations' in the School District. The City Attorney had the Clerk read the ordinance provisions, and said that he felt the terms of the Ordinance were not broad enough to include a School Board election; certainly, he said, his office would not permit a bond election to be consolidated with such an election inasmuch as a portion of the San Diego Unified School District lies outside of the City of San Diego.

Proposed Ordinance establishing 5-foot setback along the west side of Calumet Avenue between Forward and Midway Streets, and 0-foot setback along east side of Sea Rose Place between Forward and Midway Streets, across Lots 31 to 43 incl. Cliffside, and providing penalty for violation, was presented.

A hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Thursday, December 13, 1951.

The Mayor asked John McQuilken, City Auditor and Comptroller, if the City can pay early (next payday) for benefit of employees in connection with payment of their taxes.

Mr. McQuilken opposed the early payment, and said it is not feasible because not all field time sheets will be in until the 4th. He said that it could, however, be done by a good deal of overtime in various departments.

Councilman Dail said that the City had paid early at various times to permit employees to the funds for 5th, the last to payment period for State and County taxes.

Councilman Kerrigan said he had brought the matter up, originally, upon request from certain employees.

Mr. McQuilken amplified reasons, and added further reasons for opposing the early payment. Most employees, he said, are buying their homes under FHA contracts which include monthly charges in their payments for taxes. Also, he said, the employees know that the taxes are due at a certain time and that they should have made preparation for their payment.

The City Attorney reported, and spoke about payments made early at other times for various reasons. He and Councilman Wincote said that the December 5 deadline is known to every City employee for tax payments. No action was taken.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Wincote, at the hour of 10:25 o'clock A.M.

Upon adjourning, the Mayor announced that the Council would go into Conference in five minutes.

John J. Butler

Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *August M. Hadstrom*
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, December 4,
1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:06 o'clock A.M.

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

The Minutes of the Continued Meeting of Tuesday, November 27, 1951, the Regular meeting of the same date, the Regular Meeting of Thursday, November 27, 1951, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said Minutes were approved without reading, after which they were signed by the Mayor.

At this time Mayor Butler awarded service emblems to the following City employees, honoring their long service:

Miss Ellen Murray, Senior Clerk, Water Accounting Department - 25 years; Miss Murray reponded when the Mayor offered his congratulations.
Alice Carey, branch librarian, La Jolla Branch - 25 years.
Mrs. Georgianna Hopkins Griffin, part-time employee in the City Library, was to have been awarded a 35-year emblem. She was not present, and Miss Clara Breed, City Librarian, was to have accepted the award for her. Miss Breed, however, left the meeting before the presentation was made.

The Mayor acknowledged the presence of the two following groups of students who were visiting the meeting:
Teacher-trainees, from San Diego State College, accompanied by Dr. Straw and Dr. Apple;
Social Science class from Snyder Continuation High School, with Mr. LaDou, instructor.

The Mayor then introduced members of the Council, together with other City officials, who arose.

He then told of the existing form of government in the City of San Diego, and thanked the students for coming to the meeting.

Councilman Dail was excused from the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the paving and otherwise improving of the Alley in Block 5 Chester Park Addition, within the limits and as particularly described in Resolution of Intention No. 103892, the Clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$900.00; which bid was given Document No. 441760;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$900.00, which bid was given Document No. 441761;

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$800.00, which bid was given Document No. 441762.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for installation of sewers in Brodiaea Way, Carrizo Drive, Country Club Drive, Encelia Drive, Remley Place, Romero Court, Romero Drive and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 103893, the Clerk reported that 7 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Cameron Bros. Construction Co., accompanied by bond written by Glens Falls Indemnity Company in the sum of nine thousand dollars, which bid was given Document No. 441763;

The bid of W. F. Nelson Co., accompanied by bond written by Maryland Casualty Co. in the sum of six thousand dollars, which bid was given Document No. 441764;

The bid of R. A. Wattson Co., accompanied by bond written by United Pacific Insurance Company in the sum of seven thousand dollars, which bid was given Document No. 441765;

The bid of Charles J. Dorfman, accompanied by bond written by Saint Paul-Mercury Indemnity Company in the sum of seventy-five hundred dollars, which bid was given Document No. 441766;

The bid of H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of six thousand dollars, which bid was given Document No. 441767;

The bid of Beason and Taylor, accompanied by bond written by Great American Indemnity Company in the sum of ten thousand dollars, which bid was given Document No. 441768;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of seventy five hundred dollars, which bid was given Document No. 441769.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Five Points Lighting District No. 1, for a period of one year from and including August 5, 1951, to and including August 4, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council.

Thereupon, on motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company accompanied by certified check in the sum of \$133.44, which bid was given Document No. 441770;

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

Councilman Dail returned to the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 1, for a period of one year from and including August 7, 1951, to and including August 6, 1952, the Clerk reported that 1 bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$207.24, which bid was given Document No. 441771.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104262 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 13 Point Loma Heights, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104571, recorded on Microfilm Roll No. 45, determining that the paving and otherwise improving of the Alley in Block 13 Point Loma Heights, within the limits and as particularly described in Resolution No. 104262 of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104263 of Preliminary Determination, for the paving and otherwise improving of Tourmaline Street, Bayard Street, Opal Street and Loring Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104572, recorded on Microfilm Roll No. 45, determining that the paving and otherwise improving of Tourmaline Street, Bayard Street, Opal Street and Loring Street, within the limits and as particularly Described in Resolution No. 104263 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District No. 1, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104573, recorded on Microfilm Roll No. 45, confirming and approving as a whole the Engineer's Report and Assessment for La Jolla Shores Lighting District No. 1, filed in the office of the City Clerk October 26, 1951; was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Petition of County of San Diego, by the County Department of Public Works, requesting cancellation of street lighting assessments on Lots 9 and 10 Block 6 Culverwell's Addition (in San Diego Lighting District No. 4), was presented.

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

Claim of Louie Talamante, 3975 Florence Street, in the sum of \$30.16, for damage to automobile from break in water main at 18th & B Streets, was presented.

RESOLUTION NO. 104574, recorded on Microfilm Roll No. 45, referring claim of Louie Talamante to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Harbor Department, signed by the Port Director, submitting form of agreement covering the retainer of E. J. P. Davis as Publicity Specialist for the Harbor under contract, was presented. The communication stated that agreement submitted covers period to June 30, 1952 for a sum of \$269.00 per month payable semi-monthly, also that Mr. Davis is especially qualified to give lectures and talks covering the historical background and development of the Harbor of San Diego due to his long experience and background in the work.

At the request of Carl F. Repusch, business manager, of the Harbor Department, explained the matter. He said that Mr. Davis, who had been a long-time employee of the Department, has retired at the compulsory retirement age of 72, and that the department wants to retain him under contract.

The City Attorney explained that Mr. Davis cannot be continued under employment by the City except under contract. He pointed out that it is not a new procedure, as Councilman Godfrey said, but that the same thing had been done previously by the City, referring particularly to the curator at Serra Museum. He said that this is a special procedure for which Mr. Davis would complete work for the Harbor Department for which he is particularly well qualified.

Councilmen Kerrigan and Godfrey asked questions on the point. They wanted to know why an employee should be retired at the age of 72, but continued on under special contract.

Mr. Repusch spoke again, and said that Mr. Davis is retired now. He said that the employment would be for another 6 months, covering the compiling of valuable information for the department. He said that Mr. Davis was rated as a clerk, but that he had served in a public relations capacity with the department.

RESOLUTION NO. 104575, recorded on Microfilm Roll No. 45, authorizing and empowering the Harbor Commission to retain Edward J. P. Davis as a Publicity Specialist to aid and assist in the development of the harbor promotion from the 1st day of December, 1951, to the 30th day of June, 1952, at the rate of \$269 per month, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing lime for water purification, was presented.

RESOLUTION NO. 104576, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with lime for water purification, in accordance with specifications bearing Document No. 441715 on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104577, recorded on Microfilm Roll No. 45, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for furnishing and installing traffic signals at Federal Boulevard and Market Street, in accordance with specifications bearing Document No. 441718 on file in the office of the City Clerk, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104578, recorded on Microfilm Roll No. 45, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of Wabaska Drive from West Point Loma Boulevard southerly for approximately 1600 feet, in accordance with specifications bearing Document No. 441720 on file in the office of the City Clerk, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 3 sections of the Subdivision Ordinance in connection with the Tentative Map of the West 5 Acres of Lot 30 La Mesa Colony, Units 1 and 2, was presented.

RESOLUTION NO. 104579, recorded on Microfilm Roll No. 45, suspending Sections 5C, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of the West 5 acres of Lot 30 La Mesa Colony, Units 1 and 2, and in relation to the Final Maps thereof, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map for subdivision of the west 5 acres of Lot 30 La Mesa Colony Units Nos. 1 and 2, subject to 10 conditions on Unit 1 and 11 conditions on Unit 2, was presented.

RESOLUTION NO. 104580, recorded on Microfilm Roll No. 45, approving the Tentative Map for the subdivision of the West 5 acres of Lot 30 of La Mesa Colony (to be divided into 2 units), lying on the east side of Catoctin Drive and northerly of Montezuma Road, consisting of 29 lots, subject to the conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on petition of residents in the vicinity of Nutmeg and Teresita Streets for installation of fire hydrant, was presented. Said report stated that instructions have been issued to install a 2-way hydrant at the intersection of Felton Street and Nutmeg Streets, and recommended filing.

On motion of Councilman Schneider, seconded by Councilman Dail, the matter was ordered filed.

Communication from the City Manager reporting on petition of San Diego Club for amendment to the Building Code to permit use of "Xtractaire" for the removal of air and grease from its kitchens, was presented. Transmitted with the report was copy of his reply which stated that the City Inspection Department will approve the installation without amendment to the Code under certain stated conditions, and recommended filing.

On motion of Councilman Schneider, seconded by Councilman Dail, the matter was ordered filed.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, recommending granting petition for closing of the Alley in Block 115 Morena, except the portion lying within the limits of Clairemont Drive, was presented.

RESOLUTION NO. 104581, recorded on Microfilm Roll No. 45, granting petition for closing of the Alley in Block 115 Morena, except portion within the limits of Clairemont Drive, contained in Document No. 441016, as recommended by the Street Superintendent; directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, recommending denial of the petition for closing portions Zamora Road, Bescano Road, Bescano Court and Cromwell Drive in Pueblo Lot 1774, in connection with proposed subdivision of Hoyald Homes, Jolldon Homes and Lessrow Homes, was presented. The communication states that Alice Construction Company, the petitioner, has requested the Planning Commission to withdraw the Tentative Map of the area.

RESOLUTION NO. 104582, recorded on Microfilm Roll No. 45, denying petition for closing of Zamora Road from the southerly line of Bescano Road to its southwesterly termination, Bescano Road from the easterly return at La Jolla Scenic Drive to the southerly line of Pueblo Lot 1774, Bescano Court and Cromwell Drive, contained in Document No. 439467, as recommended by the Street Superintendent, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from San Diego Realty Board, Room 305, 524 B Street, signed by John N. D. Griffith, Secy. Mgr., being copy of communication addressed to the City Planning Commission, was presented. Said communication requested that the City and County zone for business suitable compact shopping centers in each community, with access roads, but avoid establishment of "ribbon" business zones along freeways or major streets and highways.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was referred to the City Manager.

Communication from San Diego Taxpayers' Association, 526 Spreckels Bldg., signed by H. Philip Anewalt, President, requesting that the City endeavor to establish a policy governing City contributions to various community cultural and civic activities and projects, in accordance with its letter of June 28, 1951, as a joint City-County policy, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was referred to the City Manager.

Communication from San Diego Women's Civic Club, dated November 24, 1951, signed by Mrs. (John F.) Viva Metzger, Pres., and Mrs. (Dexter) Eleanor Wilbar, Rec. Sec., requesting that the Council "take action to approve the Pueblo Land, Ocean Beach for a Park to be known as Collier Park", was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was referred to the City Manager.

Communication from Pacific Indemnity Company, dated November 28, 1951, signed by J. M. MacConnell, reporting on claim of Frances Voller in the sum of \$61.00, stating that payment had been denied, was presented.

RESOLUTION NO. 104583, recorded on Microfilm Roll No. 45, denying claim of Frances Voller, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Councilman Godfrey was excused from the meeting at this time.

RESOLUTION NO. 104584, recorded on Microfilm Roll No. 45, directing notice of filing of the Street Superintendent's Assessment No. 2042, for the paving and otherwise improving of Gresham Street and Graham Street, within the limits and as particularly described in Resolution of Intention No. 101112, and of the time and place of hearing, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 104585, recorded on Microfilm Roll No. 45, accepting the bid of San Diego Gas & Electric Company for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 4, for a period of one year from and including August 1, 1951, to and including July 31, 1952, and awarding contract, in strict compliance with plans and specifications contained in report of the City Engineer filed in the office of the City Clerk on September 7, 1951, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104586, recorded on Microfilm Roll No. 45, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the street lamps on mast arms attached to poles in Mission Beach Lighting District No. 2, and maintenance thereof, for a period of one year from and including August 17, 1951, in strict compliance with plans and specifications contained in the report of the City Engineer filed in the office of the City Clerk on October 15, 1951, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104587, recorded on Microfilm Roll No. 45, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Ocean Beach Lighting District No. 1, for a period of one year from and including August 14, 1951, to and including August 13, 1952, in strict compliance with plans and specifications contained in report of the City Engineer filed in the office of the City Clerk October 15, 1951, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104588, recorded on Microfilm Roll No. 45, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Beach Lighting District No. 1, for a period of one year from and including September 1, 1951, to and including August 31, 1952, in strict compliance with plans and specifications contained in the report of the City Engineer filed in the office of the City Clerk on October 15, 1951, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 104589, recorded on Microfilm Roll No. 45, for the closing of an unnamed street shown on Map No. 501 of Las Alturas Villa Sites adjacent to the southerly line of Churchward Street and to Lots 6 and 7 Shirley Terrace according to Map 2585, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 104590, recorded on Microfilm Roll No. 45, for the closing of the easterly 9 feet and the westerly 9 feet of Vermont Street adjoining Lots 1 and 54 Block 180 and Lots 21 and 22 Block 181 University Heights, more particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 104591, recorded on Microfilm Roll No. 45, for the closing of County Road Survey No. 904 in Lot 67 Rancho Mission of San Diego, more particularly described in said Resolution, finding that it is not deemed necessary that any land be taken therefor, setting out the exterior boundaries of the district of lands to be affected by said work and improvement and to be assessed to pay the damages, costs and expenses thereof, electing to proceed under the provisions of the "Street Opening Act of 1889", was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 104592, recorded on Microfilm Roll No. 45, for the closing of Idaho Street, including any portions of Howard Avenue and Polk Avenue lying therein, as more particularly described in said Resolution, finding that it is not deemed necessary that any land be taken therefor, setting out the exterior boundaries of the district of lands to be affected by said work and improvement and to be assessed to pay the damages, costs and expenses thereof, electing to proceed under the provisions of the "Street Opening Act of 1889", was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 104593, recorded on Microfilm Roll No. 45, for the closing of Napa Street and Cherry Street, as more particularly described in said Resolution, finding that it is not deemed necessary that any land be taken therefor, setting out the exterior boundaries of the district of lands to be affected by said work and improvement and to be assessed to pay the damages, costs and expenses thereof, electing to proceed under the provisions of the "Street Opening Act of 1889", was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104594, recorded on Microfilm Roll No. 45, appointing time and place for hearing protests, and directing notice of hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Logan Avenue Lighting District No. 1, for a period of one year from and including November 16, 1951, to and including November 15, 1952, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104595, recorded on Microfilm Roll No. 45, appointing time and place for hearing protests, and directing notice of hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District No. 1, for a period of one year from and including November 5, 1951, to and including November 4, 1952, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104596, recorded on Microfilm Roll No. 45, ascertaining and declaring the wage schedule for the paving and otherwise improving of the Alleys in Blocks 96, 97, 99, 100, 103, 104 and 107 Mission Beach; Santa Barbara Place, Mission Boulevard, Ventura Boulevard, and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104597, recorded on Microfilm Roll No. 45, ascertaining and declaring the wage schedule for the paving and otherwise improving of Thomas Avenue and Reed Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending combining under one assessment district proceedings under Resolutions Nos. 100677 and 100739 for improvement of Brighton Avenue, was presented.

RESOLUTION NO. 104598, recorded on Microfilm Roll No. 45, adopting recommendation of the City Engineer filed in the office of the City Clerk under Document No. 441484, and authorizing amendment to proceedings for improvement of the Alley in Block 77 Ocean Beach and portion of Brighton Avenue, in accordance with said recommendation, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending amendment to proceedings for improving portion of Reed Avenue between Mission Boulevard and Bayard Street, and which had been combined with proceedings for improving Reed Avenue between Bayard and Cass Streets, so as to include improvement of portion of Mission Boulevard between westerly prolongations of northerly and southerly lines of Reed Avenue, was presented.

RESOLUTION NO. 104599, recorded on Microfilm Roll No. 45, adopting recommendation of the City Engineer filed in the office of the City Clerk on November 28, 1951, under Document No. 441483, authorizing said Engineer to amend proceedings in accordance with recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending granting petition to install sewers to serve portions of Lots A, 28, 29 and 30 La Mesa Colony, was presented.

RESOLUTION NO. 104600, recorded on Microfilm Roll No. 45, granting petition contained in Document No. 439410 for installation of sewers to serve portions of Lots A, 28, 29 and 30 La Mesa Colony, directing the City Engineer to furnish a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104601, recorded on Microfilm Roll No. 45, authorizing and directing San Diego Gas & Electric Company to install an overhead 600 candle power street light at each of the following locations on Morena Boulevard: at Gresner Street, approximately 600 feet south of Baker St.; at Baker Street, at Bunker Hill, and at Brandywine Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104602, recorded on Microfilm Roll No. 45, authorizing the City Manager on behalf of the Public Works Department of the City of San Diego and the Harbor Commission of the City of San Diego to enter into a lease, upon terms and conditions as set forth in the lease, form of which is on file in the office of the City Clerk under Document No. 441728, for use of premises (tidelands) for purpose of operating a garbage station, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104603, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to enter into lease for and on behalf of The City of San Diego with Roscoe E. Hazard, for the purpose of removing sand and gravel from the southerly half of the northeast quarter of the northeast quarter of section 5 and the southwesterly quarter of the northwesterly quarter of the northwest quarter of section 4, both in Township 19 South, Range 2 West, S.B.B.m., to run for the term of one year beginning July 1, 1951 and ending June 30, 1952 at an annual rental of \$300.00 payable in advance, plus 10¢ per cubic yard for all sand and gravel removed in excess of 3000 cubic yards, upon terms and conditions as set out in form of said lease on file in the office of the City Clerk as Document No. 441730 which property has a value of \$5000.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104604, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to enter into agreement for and on behalf of The City of San Diego, with California Water & Telephone Company, providing for purchase from said Company of a system for service of water consisting of pipe lines, fittings, valves, equipment and appurtenances, and all facilities for distribution of water in area served by the Company within Ex-Mission Lands of San Diego lying partly in The City of San Diego and partly in the County of San Diego, all as more particularly shown on map attached to said agreement as Exhibit "A", save and excepting meters and meter boxes of said company and pipeline of said company on Delta (Fisher) Street, said pipe line is marked in red on said map, for the sum of \$5,000.00, upon terms and conditions set forth in said agreement, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104605, recorded on Microfilm Roll No. 45, granting request of Rogers Construction and the recommendation of the Acting Director of the Water Department, approved by the City Manager, as contained in Document No. 441733 on file in the office of the City Clerk, for extension of time from November 23, 1951, to and including December 24, 1951, in which to complete contract for construction of the Lakeside Pumping Plant, which contract is contained in Document No. 437781 on file in the office of the City Clerk, time of completion under said contract extended to December 24, 1951, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104606, recorded on Microfilm Roll No. 45, allowing and giving a credit to Al Bahr Shrine of \$119.96 against the total rent charges for use of Balboa Stadium in sponsoring a charity football game on October 13, 1951, being over-payment made in remitting rent due on the charity football game played on October 29, 1949 in said Stadium, a copy of said resolution to be forwarded to the Park and Recreation Director and City Auditor, authorizing the Auditor to make the allowance in favor of said Al Bahr Shrine, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104607, recorded on Microfilm Roll No. 45, granting permission to Philip P. Martin and Nicholas J. Martin to install a 30-foot driveway on the west side of Front Street, between A Street and B Street, adjacent to Lot I, in re-subdivision of Block 11 Middletown, and Block J Horton's Addition, in order to provide suitable driveway into parking lot being developed at 1234 Front Street, in accordance with all rules, regulations and ordinances of The City governing the same, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104608, recorded on Microfilm Roll No. 45, instructing the City Attorney to execute and file for and on behalf of The City of San Diego a Disclaimer in quiet title action filed in the Superior Court of the State of California in and for the County of San Diego, numbered 168885, entitled "Carlos J. Tavares and Louis C. Burgenner, Plaintiffs, vs. The City of San Diego ~~of San Diego~~, a Municipal Corporation, Defendant" in and to real property being all of the Alley in Block 115 Morena excepting portion included within easement granted to The City as described in deed recorded in Book 3860 Page 52 Official Records of the Office of the County Recorder of San Diego County, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that a dedication of alley was purported to have been made on January 2, 1896 and since that time has not been used by the public as an alley or passageway, that the same has not been improved or graded and that it is not necessary or convenient as a means of ingress or egress to or from the abutting lands or adjoining lands, and that the alley cannot in any way conform to the use by the public or otherwise because of topography of the land, and would not be approved by the Planning Commission of The City of San Diego for an alley or a street, or for any use by the City.

RESOLUTION NO. 104609, recorded on Microfilm Roll No. 45, accepting deed of Helen B. Bicknell, a married woman, executed on the 29th day of November, 1951, granting to The City of San Diego an easement for right of way for construction, operation and maintenance of a storm drain or drains, and appurtenances thereto, in Lot 6 Block 2 Hollywood Station, authorizing and directing the City Clerk to file said deed, together with a certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 4998 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$45,250.00 from the Capital Outlay Fund, for the purpose of providing funds for purchase of the north 40 feet of Lot 1 Block 7 Hillcrest, together with the buildings located thereon, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 4999 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$35,000.00 from the Unappropriated Balance, for the purpose of providing funds for the purchase and installation of equipment, and the purchase of chemicals required, for the addition of fluoride to the water supply of the City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 5000 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$10,000.00 from the Capital Outlay Fund, for the purpose of providing additional funds to pay the City's share of the cost of construction of storm sewers under co-operative agreements with property owners (in addition to funds provided under Ordinance No. 4948 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 5001 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$4,000.00 from the Capital Outlay Fund, for the purpose of providing funds to pay the City's share of the cost of improving 66th Street, Madera Street, Brooklyn Avenue, Wunderlin Avenue, Broadway, Bittern Street, Akins Avenue and Evelyn Street, within the limits and as particularly described in said Ordinance, was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 5002 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$915.00 from the Capital Outlay Fund, for the purpose of providing funds to pay the City's contribution toward the paving of Ninth Avenue, north of Johnson Avenue, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 5003 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$325.00 from the Capital Outlay Fund, for the purpose of providing additional funds for construction of 5 sewer crossings across Torrey Pines Road, between Viking Way and Ardath Road, was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Schneider, seconded by Councilman

Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 5004 (New Series), recorded on Microfilm Roll No. 45, dedicating portions of Pueblo Lot 300 for street purposes and naming the same Morena Boulevard and Napa Street, was on motion of Councilman Schneider, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 5005 (New Series), recorded on Microfilm Roll No. 45, dedicating public land being portions of Pueblo Lot 300 for portions of public streets and naming the same Napa Street, Morena Boulevard and Sherman Street, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 5006 (New Series), recorded on Microfilm Roll No. 45, changing the name of portion of Linda Vista Road to Morena Boulevard; changing name of portion of Grant Street to Morena Boulevard; changing name of portion of Sherman Street to Morena Boulevard; was on motion of Councilman Swan, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

The City Manager requested, and was granted, unanimous consent to present the next two matters, not listed on the agenda, both of which he explained to the Council. He told the Council that property had been acquired by the City for improvement of Torrey Pines Road, but that plans had been changed, leaving property in the hands of the City which will not be needed for said Road. That property, the Mayor said, should be returned to the grantors as an act of good faith on the part of the City, in return for other property to be deeded to the City:

RESOLUTION NO. 104610, recorded on Microfilm Roll No. 45, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of the City, a deed granting to Jesse B. Oldendorf and Elizabeth F. Oldendorf, husband and wife, portion of Lot 15 La Jolla Hills, which parcel of ground is more particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104611, recorded on Microfilm Roll No. 45, accepting deed of Jesse B. Oldendorf and Elizabeth F. Oldendorf, executed on the 29th day of November, 1951, granting portion of Lot 15 La Jolla Hills, setting aside and dedicating the same to the public use as and for a public street, and naming the same Torrey Pines Road; authorizing and directing the City Clerk to cause said deed, together with a certified copy of said Resolution, to be filed for record in the office of the County Recorder, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Mayor Butler requested, and was granted, unanimous consent, to present the following Resolution, not listed on the agenda:

RESOLUTION NO. 104612, reading as follows:

"WHEREAS, Mrs. Alice Boucher of The City of San Diego died on the second day of December; and

WHEREAS, Mrs. Boucher rendered outstanding service to the community of San Diego during her residence here since 1921; and

WHEREAS, Mrs. Boucher was one of the founders of the San Diego County Chapter, National Foundation for Infantile Paralysis, and served as the Chapter executive secretary for many years; and

WHEREAS, Mrs. Alice Boucher had been active in the Parents Teachers Association and was its president; and

WHEREAS, Mrs. Alice Boucher served on the County Board of Public Welfare and the San Diego City Recreation Commission; NOW, THEREFORE,

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

That it is the expression of this Council that the community of San Diego has lost a valuable and outstanding citizen by the death of Mrs. Alice Boucher; and that the loss of her outstanding services to the community will be felt.

BE IT FURTHER RESOLVED that this Council hereby expresses its heartfelt sympathy and extends its condolences to the survivors and family of Mrs. Alice Boucher; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the

family of Mrs. Alice Boucher by the City Clerk", was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The Mayor requested, and was granted unanimous consent to present his proposed Ordinance relating to the closing of the channel of Mission Bay.

The Ordinance, as presented was read by the Clerk at the request of members of the Council.

Councilman Godfrey returned to the meeting during the reading of the Ordinance.

Councilman Wincote questioned the wording of the Ordinance, and asked for the addition which would provide for reopening under good weather conditions.

The Mayor replied that the provision is covered for permission to reopen in the statement of the preamble.

There was across-the-table discussion by members of the Council.

The Mayor said that the Ordinance can be repealed upon the dangerous conditions being corrected.

Councilman Wincote said that the situation is not clear, and said that the channel might be reopened under conditions other than as stated in the Ordinance.

In response to Mr. Wincote's contentions, the Mayor read from the Ordinance.

Councilman Wincote asked for a change "directly after the "WHEREASES".

The Mayor said that no Federal approval is needed for closing. He said that the City Manager had reported that the Coast Guard recommends the channel closing.

The City Attorney said that the "WHEREASES", recite the reasons for the Council's action, in compliance with provisions of the Charter.

Councilman Wincote disagreed with statements made by the City Attorney.

The City Attorney said that no matter what is put into the recital, the Ordinance when adopted will stand on the books until repealed by the Council.

To clarify the situation, in accordance with Mr. Wincote's wishes, the Deputy City Attorney, Louis Karp, made some changes in the ordinance, which was then taken to the Attorney's office and re-written.

ORDINANCE NO. 5007 (New Series), recorded on Microfilm Roll No. 45, amending Ordinance No. 4815 (New Series), (Mission Bay Regulations), adopted May 17, 1951; by adding to Title III thereof a new section to be known as and numbered Section 11, as follows:

"Section 11. CLOSING OF MISSION BAY CHANNEL.

"It shall be unlawful to operate a boat, vessel or other water craft through the entrance channel to Mission Bay, which channel connects Mission Bay and the Pacific Ocean, except under the following conditions:

- (a) Where it is necessary, due to an emergency, to enter Mission Bay as a haven of refuge;
- (b) When advance permission of the lifeguards stationed at said entrance has been obtained and the traverse of the channel is in accordance with permission granted;
- (c) When towed, led or accompanied by a vessel owned or operated by or under the control of the United States Government, the State of California and The City of San Diego.

This section shall not apply to vessels owned or operated by or under this control of the United States Government, the State of California and The City of San Diego."

Said ordinance was declared to be an emergency measure and take effect and be in force immediately upon its passage, and was placed on its final passage at its first reading, after motion made by Councilman Schneider, seconded by Councilman Godfrey, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

At this time Councilman Godfrey brought up the matter of protests he had received in connection with the provision of the recently-adopted ordinance providing for compulsory vaccination of dogs. He said that he had been told by many persons of the need for providing exemptions to the Ordinance, and said that Dr. Askew, the Health Director, had agreed to amendments. He said he wanted the matter referred to the City Manager to take up with the Director of Public Health and City Attorney for amendment.

Councilman Godfrey moved to refer the matter to the City Manager.

Councilman Schneider said he had made inquiries about bonding companies writing bonds for dog-owners to cover agreements for confining dogs on owners' premises. He said he had been advised that such bonds could not be written.

Councilman Schneider seconded Councilman Godfrey's motion.

Before the question could be called for, Councilman Dail said that the Council had gone into the matter thoroughly before adoption of the Ordinance, and felt that the Council should let the legislation stand as adopted.

The Mayor said that there had been a thorough hearing held in the matter. He said that he does not want the matter to come before the Council again. He expressed the belief that it would take the teeth out of the ordinance if exemptions to the vaccination for rabies were permitted.

Councilman Schneider said that evidence has been presented that death of dogs has resulted from vaccination.

Councilman Godfrey said he wished he had thought of the point (as brought up now) at the time of the hearing on the ordinance and its adoption. He told of a large

number of "frustrated dog owners". He maintained that his proposal is not inconsistent.

Councilman Dail contended that all points had been brought out at the time of the ordinance's adoption and at the hearing.

Councilman Wincote said he is not fighting Mr. Godfrey's proposal, except as a matter of procedure. He said that he wants the recommendation to come from the Health Department. He charged that the proposed change had come about as the result of pressure.

Councilman Godfrey said that there are legitimate reasons for an amendment as proposed by him.

Councilman Schneider said that it is dreadfully important to many people, and stated that Councilmen should reverse themselves if the amendment is a good idea.

Councilman Godfrey amended his motion, and Councilman Schneider accepted the amendment, resulting in:

RESOLUTION NO. 104613, recorded on Microfilm Roll No. 45, referring to the City Manager for study and consultation with the Director of Public Health the matter of changes to the City Pound Ordinance No. 4992 (New Series) adopted November 27, 1951, relating to exemptions from the compulsory vaccination provisions, and recommendations by him to the Council, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the agenda, which he explained to the Council:

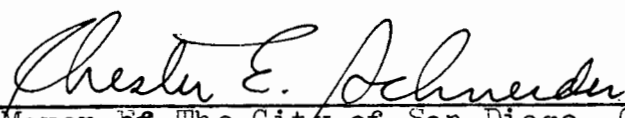
RESOLUTION NO. 104614, recorded on Microfilm Roll No. 45, authorizing the City Manager to delegate some one to attend the Flood Control Conference, to be held in Sacramento, California, Thursday, December 6, 1951, and to incur all expenses in connection with said trip, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

Prior to adoption of said Resolution, the City Manager said that it would be in the interests of the City to have a representative in attendance in relation to Mission Bay development.

Mayor Butler thanked the students who had attended the meeting, again, and felt that it would be well for more people to know of the Council and workings of the Municipal government.

On motion of Councilman Godfrey, seconded by Councilman Wincote, a recess was taken until the hour of 11:30 o'clock A.M., this date.

Vice Mayor Chester E. Schneider returned to the Council Chambers at the hour of 4:58 o'clock P.M., and declared the meeting adjourned. He was the only member of the Council who re-appeared.


Vice Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, December 6,
1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

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

Communication from the City Attorney, signed by Shelley J. Higgins, Assistant City Attorney, reporting that there had been forwarded to the Chief of the Bureau of Yards and Docks, Department of the Navy, at Washington, D.C. by air mail a request that the Navy consent to the clarification of certain language contained in the preliminary draft of the collateral contract discussed in Council Conference (re San Diego Aqueduct contract - "second barrel"), was presented. Attached to the letter was proposed redraft of Section 1 (a) of collateral contract wherein the clarification language appears underscored.

The City Attorney made a verbal report in which he said that no official reply has come from the Navy.

The Mayor reported on newspaper stories in connection with the subject.

Members of the Council discussed the question.

The City Attorney outlined the contract provisions, and of the original contract. He corrected the Mayor's understanding as to the Navy's rights to water.

The City Manager reported on interpretation of the Government's needs for water if there should be a shortage to the point of rationing.

On motion of Councilman Schneider, seconded by Councilman Dail, the matter was ordered filed.

Communication from the Planning Department, signed by P. Q. Burton, Senior Planning Technician, attaching copy of Zoning Committee Resolution No. 6029 concerning 6-foot high fence around property of Lloyd T. Penick at Pickwick and 34th Streets, in Zone R-4, which grants the right to build a 6-foot high fence with 2-foot setback on Pickwick Street, provided that it is ratified by the Council. The report stated that the provision was put into the Resolution because Council Resolution No. 103569 specifically exempted from fencing the northerly 15 feet of the Penick property within the setback area.

The report just referred to was read to the Council by the Clerk.

Mr. Burton reported, verbally, along the lines of the communication.

RESOLUTION NO. 104615, recorded on Microfilm Roll No. 45, ratifying Zoning Committee Resolution No. 6029 adopted November 28, 1951, granting permission to Lloyd T. Penick to construct 6-foot high painted fence with 2-foot setback on Pickwick Streets, Lots 1 through 5 and portion of 6 through 8 Block 2 Broderick & West Addition, SEly of Wabash Freeway on Pickwick Street at 34th Street, in Zone R-4, which also grants variance to the provisions of Ordinance No. 12321 as to the particulars stated therein, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Miss Dorothy Clugston expressing appreciation for the religious displays put on at the Civic Center, stating that reveals the true Christmas spirit, and asking that the work be kept up through the coming seasons, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, said communication was ordered filed.

RESOLUTION NO. 104616, recorded on Microfilm Roll No. 45, accepting bid of J. S. Barrett, the lowest, responsible and reliable bidder, and awarding contract, for construction of storm drain in Congress Street, Old Town; authorizing and empowering the City Manager to execute, for and on behalf of the City, a contract with J. S. Barrett for said construction, upon execution of said contract, and upon execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104617, recorded on Microfilm Roll No. 45, granting application of Harold Cochran for certification of public necessity and convenience to operate 2 automobiles for hire under the name of "Silver Grey Cab Co", as recommended by the Chief of Police and the City Manager, providing all ordinances of The City of San Diego pertaining to operation and licensing of automobiles for hire are complied with within

the periods of time prescribed therein, including subsequent inspection and approval by the Police Department, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104618, recorded on Microfilm Roll No. 45, granting application of Andy Tipton, rear 1147 Market Street, San Diego, to engage in the business of Drive-yourself-automobile and truck rentals, and to operate four trucks and three automobiles, as recommended by the Chief of Police and the City Manager, provided all ordinances of The City of San Diego pertaining to operation of and licensing of automobiles-for-hire are complied with; within the periods of time prescribed therein, including subsequent inspection and approval by the Police Department, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the City Manager recommending granting excess-width driveway permit to Union Oil Company at 8th Avenue and Market Street, being a relocation and reconstruction of a driveway, was presented.

RESOLUTION NO. 104619, recorded on Microfilm Roll No. 45, granting permission to Union Oil Company of California, Petroleum Building, Los Angeles 15, to relocate the 28-foot driveway on the east side of Eighth Avenue, south of Market Street, adjacent to Lots A and B Block 99 Horton's Addition, approximately between points 70 feet and 100 feet south of the south line of Market Street, continuous with the existing 10 feet driveway to the south, in order to facilitate access to the service station at Eighth Avenue and Market Street, in accordance with all rules, regulations and ordinances of The City of San Diego governing the same, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104620, recorded on Microfilm Roll No. 45, granting permission to Peter Stamatopoulos, 2637 Bancroft Street, San Diego, to install a four-inch cast iron sewer line between the property line and the sidewalk, to be placed one foot outside the property line and run in a southerly direction, parallel to the easterly line of Lot 48 Block 88 E. W. Morse Subdivision, to point of intersection with public sewer, to serve property at 810-12-14-16 Thirtieth Street, subject to approval of the San Diego Health Department and of the City Manager and upon the express condition that The City of San Diego shall be held free and clear of any claim for damages by reason of the installation, operation and maintenance thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104621, recorded on Microfilm Roll No. 45, allowing bill of San Diego Junior Chamber of Commerce, bearing date December 3, 1951, in the sum of \$250.00 for expenses incurred in connection with the City of San Diego's share of Tournament of Roses Parade float cost, as approved by the Advertising Control Committee; authorizing requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1951-52 for said sum, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104622, recorded on Microfilm Roll No. 45, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date November 16, 1951, wherein said parties subordinate all their right, title and interest in and to portion of Lot 31 Block 12 Beverly, to the storm drain right of way and easement heretofore conveyed to The City; authorizing and directing the City Clerk to file said subordination agreement of record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104623, recorded on Microfilm Roll No. 45, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, executed in favor of The City of San Diego, bearing date November 13, 1951, conveying Lot 12 Block 10, Lots 4, 5 and 6 Block 14, and Lot 15 Block 16 Electric Line Addition; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104624, recorded on Microfilm Roll No. 45, accepting deed of Reg G. Stalmer and Alma J. Stalmer, bearing date November 19, 1951, conveying portion of Lot 1 Block 7 Hillcrest; authorizing and directing the City Clerk to transmit said deed together with a certified copy of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104625, recorded on Microfilm Roll No. 45, accepting quitclaim deed of Western Investment Company of San Diego, bearing date October 16, 1951, quitclaiming a strip of land, formerly part of San Diego Electric Railway Company's right of way now abandoned, lying within portion of the northwesterly one-half of Pueblo Lot 211 of the Pueblo Lands of San Diego, known as portion of Lot C Loma Alta No. 2; authorizing and directing the City Clerk to transmit said quitclaim deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104626, recorded on Microfilm Roll No. 45, accepting deed of John J. Walsh and Mae B. Walsh, bearing date December 4, 1951, conveying a portion of Lot 264 of the Pueblo Lands of San Diego; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104627, recorded on Microfilm Roll No. 45, accepting deed of William D. Evans, bearing date November 19, 1951, conveying an easement and right of way for street purposes in portion of Lot 73 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Arroyo Avenue; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104628, recorded on Microfilm Roll No. 45, accepting deed of Frank Forman and Angela Forman, bearing date November 27, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 9 Fortuna Park; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104629, recorded on Microfilm Roll No. 45, accepting deed of Robert E. Gallagher and Mary J. Gallagher, bearing date November 29, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 3 Block 9 Point Loma Heights, and an adjacent portion of Oliphant Street closed to public use; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104630, recorded on Microfilm Roll No. 45, accepting deed of Margaret Ridge Neal, bearing date November 16, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 26 Block 22 Ocean Beach; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104631, recorded on Microfilm Roll No. 45, accepting deed of Wyllys P. Smith and Mildred B. Smith, bearing date November 26, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 246 Pacific Beach; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104632, recorded on Microfilm Roll No. 45, accepting deed of Thomas A. Throp and Mildred E. Throp, bearing date November 21, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 48 Block 7 City Heights Annex No. 2; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104633, recorded on Microfilm Roll No. 45, accepting deed of William P. Douglas and Anna L. Douglas, bearing date November 19, 1959, conveying an easement and right of way for storm drain purposes portion of Lot 31 Block 12 Beverly; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

ORDINANCE NO. 5008 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$50,000.00 from the Capital Outlay Fund, for the purpose of providing funds for construction of Congress Street Storm Drain, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

ORDINANCE NO. 5009 (New Series), recorded on Microfilm Roll No. 45, creating the positions of Sanitation Crewman I, Sanitation Crewman II, Sanitation Foreman, Staff Assistant (Sanitation), Assistant Sanitation Superintendent, and Sanitation Superintendent in the Classified Service of The City of San Diego, and establishing a schedule of compensation thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

The City Manager requested, and was granted unanimous consent to present the next matter, not listed on the agenda; in connection with the same matter which had been presented under unanimous consent on December 4, 1951. He explained that it was to correct a resolution which had been prepared and adopted in haste for the authorization of a deed from the City to Jesse B. Oldendorf and Elizabeth F. Oldendorf, in connection with a project for improvement of Torrey Pines Road.

RESOLUTION NO. 104634, recorded on Microfilm Roll No. 45, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of the City, a deed granting to Jesse B. Oldendorf and Elizabeth F. Oldendorf, husband and wife, portion of Lot 15 in La Jolla Hills, more particularly set forth in said Resolution and said Deed referred to (including slope rights not included in the matter handled by the Council on December 4) repealing Resolution No. 104610 adopted December 4, 1951, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The Mayor recognized George Carey, Jr., of Beverly Hills, who was heard at this time.

Mr. Carey spoke to the Council and requested use of the City-owned Camp Callan area for road race of imported cars "event". He apologized for the shortness of the time, inasmuch as the event asked for is to take place on next Sunday, being December 9. Mr. Carey identified himself as president of the Sports Car Racing Association, and that the race would be by California Sports Club, Inc., a non-profit corporation, for foreign made cars. He said that the group is willing to donate a reasonable sum to any charity from proceeds of the race. He said that the race would consist of 27 to 30 cars, now booked. He showed the Council magazine articles concerning previous races held elsewhere, including Palm Spring, Pebble Beach, etc. He said that there would be 3 short races, and 1 150-mile race. Asked about the dangerous conditions which might be encountered, Mr. Carey said that it is safe, and explained the procedure. Also, he told of insurance which is carried.

Councilman Schneider told of the Club's activities, and of his son having one of the foreign cars which he has raced in similar events. He felt that it was a good project in which to interest young men to improve themselves.

Continuing, Mr. Carey said that the Club wants to acquire funds to build up its own course. Also, he told the Council, part of the receipts would be retained for that purpose, and a portion contributed to charity.

The City Attorney, asked if there are any legal barriers for the use of Camp Callan for that purpose, reported there are not.

The City Manager said there might be the matter of City personnel involved in the proposed event.

Mr. Carey said that all facilities are being supplied. Fire fighting services, however, would be needed, Mr. Carey told the Council.

The City Manager replied that the nearest fire equipment is at La Jolla. He said that he does not want to tie up a lot of City policemen and firemen for the races.

Mr. Carey said that this is an annual event, and that plans had been made for conducting at the Fair Grounds, but that the location has been found unsuitable. He said that surveys of the Fair Grounds have been made by air, and it has been determined that the Camp Callan area would be ideal for the purpose sought.

Councilman Schneider moved to refer the matter to the City Manager with approval of the Council, for the City Manager and City Attorney to draw up a contract for use of the area on Sunday, which motion was seconded by Councilman Wincote.

There was some brief discussion on the motion, participated in by the City Attorney, resulting in a changed motion, which became the basis for the following Resolution:

RESOLUTION NO. 104635, recorded on Microfilm Roll No. 45, referring the verbal request of George Carey, Jr., Beverly Hills, California, for permission to use Camp Callan area for a race of foreign cars organized by California Sports Car Club, Inc., a non-profit corporation, sponsored by Sports Car Racing Association, Inc., of which Mr. Carey is president, to the City Manager to set up a contract satisfactory to the City Attorney, which race is to be held on Sunday, December 9, 1951, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 10:35 o'clock A.M.

Chester E. Schneider
Vice Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By

August M. Hadstrom
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, December 11, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:05 o'clock A.M.
Present--Councilmen Swan, Wincote, Schneider, Godfrey
Absent---Councilmen Kerrigan, Dail, Mayor Butler
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, December 4, 1951, and of Thursday, December 6, 1951, were presented to the Council by the Clerk.
In the absence of Mayor Butler from the City, Vice Mayor Chester E. Schneider presided.

Mayor Butler and Councilmen Kerrigan and Dail were absent from the City to attend the American Municipal Association annual meeting.

At this time the Vice Mayor awarded service emblems, for long-time employment with the City, to the following City employees:

Joseph H. Shaw, Purchasing Agent - 20 years;
Mrs. Edna C. Barker, Bacteriologist Grade II for the Division of Sanitation of the Water Department - 25 years;
David A. Peterson, construction and maintenance Man, Water Distribution Department - 30 years;
Oscar L. Thomas, equipment and Repairman II in the Sewage Treatment Plant of Public Works - 30 years;
George H. Smith, Patrolman, Police Department - 30 years;
Mrs. Georganna Hopkins Griffin, at present part-time employee, in the City Public Library - 35 years.

As he made each presentation, the Vice Mayor reviewed the positions and responsibilities and told of length of service.

On motion of Councilman Swan, seconded by Councilman Godfrey, the Minutes of the meetings of December 4 and 6, 1951, were approved without reading, after which they were signed by the Vice Mayor.

At this time a majority of the members of the Council signed the following undertakings for the furnishing of electric current, with San Diego Gas & Electric Company, in the following districts:

San Diego Lighting District No. 1;
San Diego Lighting District No. 2;
Loma Portal Lighting District No. 1.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 3 for a period of one year from and including August 7, 1951, to and including August 6, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$286.74, which bid was given Document No. 442099.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The Vice Mayor mentioned that 6 votes of the Council are needed to adopt the resolutions of feasibility in connection with the first 5 hearings listed on the agenda covering Resolutions of Preliminary Determination. He said that the hearings could be held at this time, but that adoption of the feasibility resolutions would have to be delayed.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104349 of Preliminary determination, for the paving and otherwise improving of the Alley in Block 67 Point Loma Heights, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the hearing was ordered closed (for the purpose of hearing protests), and

RESOLUTION NO. 104636, recorded on Microfilm Roll No. 45, continuing the hearing on Resolution No. 104349 of Preliminary Determination for the improvement of the Alley in Block 67 Point Loma Heights, within the limits and as particularly described in said Resolution, until the hour of 10:00 o'clock A.M. of Tuesday, December 18, 1951, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104350 of Preliminary Determination, for the paving and otherwise improving of Pynchon Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the hearing was ordered closed (for the purpose of hearing protests), and

RESOLUTION NO. 104637, recorded on Microfilm Roll No. 45, continuing the hearing on Resolution No. 104350 of Preliminary Determination for the improvement of Pynchon Street, within the limits and as particularly described in said Resolution, until the hour of 10:00 o'clock A.M. of Tuesday, December 18, 1951, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104351 of Preliminary Determination, for the paving and otherwise improving of Quimby Street and Plum Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the hearing was ordered closed (for the purpose of hearing protests), and

RESOLUTION NO. 104638, recorded on Microfilm Roll No. 45, continuing the hearing on Resolution No. 104351 of Preliminary Determination for the improvement of Quimby Street and Plum Street, within the limits and as particularly described in said Resolution, until the hour of 10:00 o'clock A.M. of Tuesday, December 18, 1951, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104352 of Preliminary Determination for the paving and otherwise improving of Savoy Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

On motion of Councilman Godfrey, seconded by Councilman Swan, the hearing was ordered closed (for the purpose of hearing protests), and

RESOLUTION NO. 104639, recorded on Microfilm Roll No. 45, continuing the hearing on Resolution No. 104352 of Preliminary Determination for the improvement of Savoy Street, within the limits and as particularly described in said Resolution, until the hour of 10:00 o'clock A.M. of Tuesday, December 18, 1951, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104353 of Preliminary Determination for the paving and otherwise improving of Tustin Street, within the limits and as particularly described in said Resolution, the Clerk reported that a written protest had been received from 8 "owners and occupants of residences", based upon the proposed grade level, which protest was presented to the Council and read.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

Before any of the property owners spoke, the City Engineer made a verbal report. He told the Council that the grade had already been changed 1 foot, at the request of the property owners, and added that the work should be done at that grade or the project abandoned. He said, upon being asked, that the grade was established in 1927 and that the change proposed amounts to 3 feet. He said that the protestants had built on the lower side of the street below grade.

Joseph Housher and A. D. Cross spoke. Mr. Housher said that his home would be in a 10-foot hole, and that others would be in holes also. He said that the improvement is wanted, but not at the grade proposed by the City Engineer.

There was general discussion by members of the Council and further questions were asked.

The Engineer repeated his statements regarding the grade.

Mrs. Arrechea and Mrs. Clyde Neely said that they both live on the street, but that they had not been consulted, although the Engineer stated that the property owners affected had been interviewed and had agreed to the grade as now proposed by his office.

Mr. Housher told of the explanations which had been made to him, on the site, by a representative from the City Engineer's office.

Mrs. Arrechea and Mrs. Neely looked at a plat of the grade, together with the Engineer.

The Engineer said that he thinks the grade is about right as proposed. He said that depressed driveways would be required, however. He added that the grade is not bad. He suggested using the grade as set up, or abandonment of the project. He said that an honest effort had been made to adjust the situation. The Engineer said that if the grade is lowered more it will leave the other side (already high), still higher. He said he thought that the earlier objections had been met, but was surprised to learn that protests were received now.

RESOLUTION NO. 104640, recorded on Microfilm Roll No. 45, continuing the hearing on Resolution No. 104353 of Preliminary Determination for the improvement of Tustin Street, within the limits and as particularly described in said Resolution, until the hour of 10:00 o'clock A.M. of Tuesday, December 18, 1951, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted. - (It was agreed by the Council, and protestants were so informed, that on the 18th, the Council would again continue the hearing until Wednesday, December 26, 1951, to permit the City Engineer to interview property owners on the high side of Tustin Street to ascertain their views on further lowering of the grade).

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 104264 for the paving and otherwise improving of the Alley in Block 41 Ocean Beach and Ebers Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 104265 for the paving and otherwise improving of the Alley in Block 3 Wilshire Place, and Meade Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Mrs. Janet L. Lienhart and from Mary C. Rhoads (Mrs. L. H.), which protests were presented.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

The City Engineer made a verbal report and told the Council that there was a 6.3% written protest.

RESOLUTION NO. 104663, recorded on Microfilm Roll No. 45, overruling and denying the written protests of Janet L. Lienhart and Mary C. (Mrs. L. H.) Rhoads, on Resolution of Intention No. 104265 for the paving and otherwise improving of the Alley in Block 3 Wilshire Place, within the limits and as particularly described in said Resolution, overruling and denying all other protests thereon, was on motion of Councilman

Wincote, seconded by Councilman Godfrey, adopted.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the hour set for hearing on Resolution of Intention No. 104266 for the paving and otherwise improving of Palermo Drive and Alcott Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lamps located in Adams Avenue Lighting District No. 1, for a period of one year from and including October 13, 1951, to and including October 12, 1952, the Clerk reported that no written protests had been received. No one appeared to be heard.

RESOLUTION NO. 104641, recorded on Microfilm Roll No. 45, confirming and adopting as a whole the Engineer's Report and Assessment for Adams Avenue Lighting District No. 1, filed in the office of the City Clerk November 2, 1951; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lamps located in Midway Drive Lighting District No. 1, for a period of one year including October 1, 1951, to and including September 30, 1952, the Clerk reported that no written protests had been received. No one appeared to be heard.

RESOLUTION NO. 104642, recorded on Microfilm Roll No. 45, confirming and adopting as a whole the Engineer's Report and Assessment for Midway Drive Lighting District No. 1, filed in the office of the City Clerk November 2, 1951, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of Roseville Lighting District No. 1, ornamental street lamps, for a period of one year from and including October 15, 1951, to and including October 14, 1952, the Clerk reported that no written protests had been received. No one appeared to be heard.

RESOLUTION NO. 104643, recorded on Microfilm Roll No. 45, confirming and approving as a whole the Engineer's Report and Assessment for Roseville Lighting District No. 1, filed in the office of the City Clerk November 2, 1951, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2040, made to cover the cost and expenses of the paving and otherwise improving of Landis Street, the Alley in Block 12 Subdivision of Blocks 3, 6, 9 and 12 City Heights Annex No. 1 and Block 3 City Heights Annex No. 2, the Clerk reported that no written appeals had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 104644, recorded on Microfilm Roll No. 45, confirming and approving the Street Superintendent's Assessment No. 2040 made to cover the cost and expenses of the paving and otherwise improving of Landis Street, the Alley in Block 12 Subdivision of Blocks 3, 6, 9 and 12 City Heights Annex No. 1 and Block 3 City Heights Annex No. 2, within the limits and as particularly described in Resolution of Intention No. 101271; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on Councilman Swan, seconded by Councilman Godfrey, adopted.

Claim of Mrs. Ruth Lynn Hasson, 230 W. Laurel St., San Diego, in the sum of \$20.00 for medical bills and \$20.00 per week for 6 weeks for loss of earnings, for personal injuries resulting from fall on uneven and broken sidewalk, was presented.

RESOLUTION NO. 104645, recorded on Microfilm Roll No. 45, referring claim of Mrs. Ruth Lynn Hasson to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Claim of Charles and Lillie Reed, 3649 Highland Avenue, for damage to water pipes from dirt and for cost of replacing fence damaged, in the sums of \$43.00 and \$43.47, respectively, was presented.

RESOLUTION NO. 104646, recorded on Microfilm Roll No. 45, referring claim

of Charles and Lillie Reed to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing 2 power lawn mowers for the Park Department, was presented.

RESOLUTION NO. 104647, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 2 power lawn mowers, in accordance with specifications contained in Document No. 442007 on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104648, recorded on Microfilm Roll No. 45, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the demolition and removal of old Morena Boulevard Bridge over San Diego River, in accordance with specifications contained in Document No. 442010 on file in the office of the City Clerk; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104649, recorded on Microfilm Roll No. 45, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for core recovery drilling at one or more points along Black Canyon Tunnel of the Sutherland-San Vicente Conduit, located about 6 miles northeast of Ramona, in accordance with specifications contained in Document No. 442012 on file in the office of the City Clerk; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on request for installation of parking meters in vicinity of Fifth Avenue and Laurel Street, stating that 36 meters have been ordered installed, but that none will be located in front of any establishment opposing them, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said matter was ordered filed.

Communication from the City Attorney reporting on draft of the proposed ordinance regulating ticket brokers who sell airplane passenger space, proposed by R. M. McCann of the Ticket Agents Association, and comparing it with the City-drafted proposed ordinance on the same subject, was presented.

The City Attorney made a brief verbal report on the subject.

Councilman Wincote moved to continue the matter for one week, which motion was seconded by Councilman Swan.

There was some discussion by members of the Council before the roll was called on the question, resulting in

RESOLUTION NO. 104650, recorded on Microfilm Roll No. 45, referring the communication from the City Attorney reporting on draft of the proposed Ordinance regulating ticket brokers who sell airplane passenger space, proposed by R. M. McCann of Ticket Agents Association, and comparing it with the City-drafted proposed Ordinance on the same subject, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

(The motion and second, resulting in said Resolution, were made while the first motion and second were pending, although not withdrawn).

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Horton Park, subject to agreement with Dale and Rose M. Horton and others for installation and completion of unfinished improvements and setting of monuments, was presented.

RESOLUTION NO. 104651, recorded on Microfilm Roll No. 45, adopting Map of Horton Park, being portion of Lot 15 of Horton's Purchase in Ex Mission Lands of San Diego, according to Map No. 283 filed in the office of the County Recorder; accepting on behalf of the public Elm Street, 50th Street, Date Street, Date Place, Alltadena Street, and portions of Euclid Avenue and Marilou Road, and unnamed easements shown thereon for public purposes, and dedicating the same to the public use, rejecting as a dedication for an alley land shown as "Reserved for Future Alley Purposes"; authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said streets, portions of streets and easements are accepted on behalf of the public; directing said Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104652, recorded on Microfilm Roll No. 45, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Dale Horton and Rose M. Horton, Art L. Leitch and Dorothy M. Leitch, Francis J. Curry and Evelyn M. Curry, for installation and completion of unfinished improvements and setting of monuments required; directing the City Engineer to present an Ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending that proceedings for paving of the Alley in Block 1 City Heights and for paving of the Alley in Block 2 City Heights be combined, and setting out the improvements to be made, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was referred to the City Attorney for preparation and presentation of the necessary Resolution.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, recommending granting petition for closing 10 feet on each side of 33rd Street from Ocean View Boulevard to the north line of Pueblo Lot 1161, except that corner cutoffs be retained at the intersections, was presented.

RESOLUTION NO. 104653, recorded on Microfilm Roll No. 45, granting petition for closing 10 feet on each side of 33rd Street, between Ocean View Boulevard and the north line of Pueblo Lot 1161, under condition that corner cutoffs on 10-foot radius be retained on all street intersections, contained in Document No. 439373, as recommended by the Street Superintendent; directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from W. D. Bocker, 1414 - 5th Avenue, requesting that the time set for his appearance before the Council regarding proposed Transit System franchise be delayed from this date (time set by the Mayor in communication addressed to Mr. Bocker, in connection with his request for a hearing), until December 18 or later, due to absence of the Mayor and 2 members of the Council, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the matter was continued for one week.

Communication from Theodore W. Gauss, 3610 Plumosa Drive, San Diego, requesting that regulatory action be taken relative to takeoffs and landings of planes using Lindbergh Field and North Island air bases, to avoid catastrophe such as occurred recently, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, said communication was referred to the City Manager.

RESOLUTION NO. 104654, recorded on Microfilm Roll No. 45, directing notice of filing of the Street Superintendent's Assessment No. 2043, made to cover the costs and expenses of the work done upon the paving and otherwise improving of Hancock Street and Clayton Street, within the limits and as particularly described in Resolution of Intention No. 101329, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF AWARD NO. 104655, recorded on Microfilm Roll No. 45, accepting bid and awarding contract to T. B. Penick & Sons, a co-partnership, for the paving and otherwise improving of the Alley in Block 5 Chester Park Addition, within the limits and as particularly described in Resolution of Intention No. 103892, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted. (7.7% below estimate).

RESOLUTION OF AWARD NO. 104656, recorded on Microfilm Roll No. 45, accepting bid and awarding contract to Charles J. Dorfman for installation of sewer mains in Brodiaea Way, Carrizo Drive, Country Club Drive, Encelia Drive, Remley Place, Romero Court, Remero Drive and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 103893, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted. (11.6% under estimate).

RESOLUTION OF AWARD NO. 104657, recorded on Microfilm Roll No. 45, accepting bid and awarding contract to San Diego Gas & Electric Company for the furnishing of electric current for the lighting of the ornamental street lights located in Five Points Lighting District No. 1, for a period of one year from and including August 5, 1951, to and including August 4, 1952, in accordance with "Engineer's Report and Assessment" filed September 21, 1951, in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF AWARD NO. 104658, recorded on Microfilm Roll 45, accepting bid and awarding contract to San Diego Gas & Electric Company for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 1, for a period of one year from and including August 7, 1951, to and including August 6, 1952, in accordance with "Engineer's Report and Assessment" filed September 21, 1951, in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 104659, recorded on Microfilm Roll No. 45, for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District No. 1, for a period of one year from and including September 15, 1951, to and including September 14, 1952, in accordance with plans and specifications contained in "Engineer's Report and Assessment for La Jolla Shores Lighting District No. 1", filed October 26, 1951, in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104660, recorded on Microfilm Roll No. 45, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 1, for a period of one year from and including December 1, 1951, to and including November 30, 1952, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104661, recorded on Microfilm Roll No. 45, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Montemar Lighting District No. 1, for a period of one year from and including December 16, 1951, to and including December 15, 1952, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 104662, recorded on Microfilm Roll No. 45, for installation of paving and otherwise improving of the Alleys in Blocks 96, 97, 99, 100, 103, 104 and 107 Mission Beach; Santa Barbara Place, Mission Boulevard, Ventura Boulevard and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104663 (See Page 257 of these Minutes)

RESOLUTION OF INTENTION NO. 104664, recorded on Microfilm Roll No. 45, for the paving and otherwise improving of Ninth Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 104665, recorded on Microfilm Roll No. 45, for the paving and otherwise improving of Thomas Avenue and Reed Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104666, recorded on Microfilm Roll No. 45, for the furnishing of electric current for the lighting of the ornamental street lights located in Seventh Avenue Lighting District Number 1, for a period of one year from and including January 1, 1952, to and including December 31, 1952, setting out the exterior boundaries of the district to be benefited and to be assessed to pay the costs and expenses thereof and to be known as the Assessment District, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104667, recorded on Microfilm Roll No. 45, for the furnishing of electric current for the lighting of the ornamental street lights located in Eighth Avenue Lighting District Number 1, for a period of one year from and including January 1, 1952, to and including December 31, 1952, setting out the exterior boundaries of the district to be benefited and to be assessed to pay the costs and expenses thereof and to be known as the Assessment District, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104668, recorded on Microfilm Roll No. 45, for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Lighting District Number 1, for a period of one year from and including January 1, 1952, to and including December 31, 1952, setting out the exterior boundaries of the district to be benefited and to be assessed to pay the costs and expenses thereof and to be known as the Assessment District, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104669, recorded on Microfilm Roll No. 45, for the closing of the Alley in Block 5 Second Fortuna Park Addition, setting out the exterior boundaries of the district of lands to be affected by said work and improvement and to be assessed to pay the damages, costs and expenses thereof, was on motion of Coun-

cilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104670, recorded on Microfilm Roll No. 45, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 13 Point Loma Heights, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104671, recorded on Microfilm Roll No. 45, ascertaining and declaring the wage scale for the paving and otherwise improving of Tourmaline Street, Bayard Street, Opal Street and Loring Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104672, recorded on Microfilm Roll No. 45, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Fortuna Avenue, within the limits and as particularly described in Resolution of Intention No. 101714 and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer; directing the City Clerk at the same time of said approval to certify the fact and date thereof and immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104673, recorded on Microfilm Roll No. 45, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 101050 and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer; directing the City Clerk at the same time of said approval to certify the fact and date thereof and immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104674, recorded on Microfilm Roll No. 45, determining that it is the intention of the Council that a franchise for a period of 30 years commencing on the taking effect of the ordinance granting the same for motor busses and other self-propelled vehicles carrying passengers for hire and upon terms and conditions set forth therein; authorizing and directing the City Clerk to advertise that the Council proposes to grant such franchise and stating that bids will be received therefor; setting out the form of the proposed ordinance granting the same; citing the terms and conditions thereof, and other pertinent data, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104675, recorded on Microfilm Roll No. 45, prohibiting parking of automobiles at all times on the following streets:
On the south side of Florida Court between Florida Street and Georgia Street;
On the south side of Georgia Court between Florida Street and Georgia Street;
authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104676, recorded on Microfilm Roll No. 45, declaring the following intersections to be "intersection stops":
Seventh Avenue and F Street, affecting traffic both ways on F Street;
Eighth Avenue and F Street, affecting traffic both ways on Eighth Avenue;
Ninth Avenue and F Street, affecting traffic both ways on F Street;
Eighth Avenue and G Street, affecting traffic both ways on G Street;
authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104677, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to do all the work in connection with the construction of a catch basin over the existing storm drain on Lots 9 and 10 Block 3 Cosgrove Park, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by City forces more economically than if let by contract.

RESOLUTION NO. 104678, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to do all the work in connection with the construction of an extension of the box culvert located at 17th Street and Logan Avenue, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for

said work, and has indicated that the same can be done by City forces more economically than if let by contract.

RESOLUTION NO. 104679, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to do all the work in connection with changes in and replacement of pipe lines on Oregon, Polk and Howard Streets, and other miscellaneous City work, at the University Heights Reservoir, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by City forces more economically than if let by contract.

RESOLUTION NO. 104680, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to do all the work in connection with the removal of 3 16-inch gate valves, and substitution of 12-inch valves therefor, on the 30th Street pipe line, and construction of connections to the system in order to cut over the 30th Street line to make it serve as a feeder line for portion of distribution system immediately east of 30th Street and north of Adams Avenue, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by City forces more economically than if let by contract. Also, the Resolution mentions that the work authorized is in connection with the cleaning and cement mortar lining of said pipe line.

RESOLUTION NO. 104681, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to do all the work in connection with construction and extension of 30-inch concrete pipe culvert at the southeast corner of Nutmeg and Felton Streets, in accordance with his recommendation, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by City forces more economically than if let by contract.

RESOLUTION NO. 104682, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to do all the work in connection with the construction of an extension to the 24-inch concrete pipe culvert and also the construction of inlets, at 3rd Avenue and J Street, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 104683, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 80 Arm Chairs (for the Harbor Department - although the Resolution does not so state), was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104684, recorded on Microfilm Roll No. 45, declaring the bid of G. B. Ramstead for portion of Tract B of Rancho El Cajon as more particularly described in said Resolution, offered for sale at public auction on November 23, 1951, to be the highest bid received and that said G. B. Ramstead is the highest, responsible and reliable bidder, selling said property at \$320.00 per acre; authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of the City, a quitclaim deed to George B. Ramstead and Jeanne E. Ramstead, husband and wife, as joint tenants, said property; authorizing and directing the Property Supervisor of the City to place said deed in escrow with directions that the same be delivered to the successful bidder when all escrow instructions have been complied with, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted. (Mr. Ramstead, the successful bidder, was the applicant for sale of the property; land involved being about 10 acres).

RESOLUTION NO. 104685, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to advertise for sale and sell 10 houses owned by the City, which houses are no longer needed for City purposes, the same to be removed by the purchaser, as follows:

- 3011 Whitman Street (Banda property);
- 3021 Whitman Street (Herrera property);
- 3005 Whitman Street (Banda property);
- 4275-77 Rosecrans Street;
- 4278 Rosecrans Street (Buso property);
- 2936 Whitman Street (Pedroza property);
- 2930 Whitman Street (Pedroza property);
- 2944 Whitman Street (Bernica property);
- 4270 Taylor Street (Schreffler property);
- 4276 Taylor Street (Anderson property);

directing that all expenses in connection with the sale shall be deducted from the proceeds received therefrom, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104686, recorded on Microfilm Roll No. 45, accepting offer of Wilbur-Ellis Company of Los Angeles for purchase of processed sewage sludge from the City's Sewage Treatment Plant, at and for the price of \$4.00 per ton for materials in bulk and \$5.00 per ton for material in sacks; authorizing and directing the Purchasing Agent to sell said processed sewage sludge to said Company upon terms and conditions set forth in offer of the company, for a period of 90 days commencing December 1, 1951, or until such time as pelletizing equipment has been installed at the Plant, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Accompanying said Resolution was communication from the City Manager recommending its adoption, and authorizing sale to said Company which had previously been the sole bidder therefor.

RESOLUTION NO. 104687, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to enter into agreement with the Board of Education for participation in portion of total cost of taking special census of the City, the Board's share amounting to \$9,250.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104688, recorded on Microfilm Roll No. 45, authorizing and directing the City Manager to make application to the Board of Supervisors of the County of San Diego, and to take all necessary steps to acquire from the State of California tax-deeded Lots 34 and 35 Block 3 Bayside, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104689, recorded on Microfilm Roll No. 45, authorizing and directing the City Manager to make application to the Board of Supervisors of the County of San Diego, and to take all necessary steps to acquire from the State of California E 1/2 3.424 Ac parcel in Reiner's Sub of P.L. 1103 per Record of Survey Map 1235, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104690, recorded on Microfilm Roll No. 45, granting revocable permit to Julian C. Parker to use portions of Lots 120 and 121 La Mesa Colony, belonging to The City of San Diego, as and for a right of way for pedestrian and vehicular travel affording access to Baltimore Drive, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104691, recorded on Microfilm Roll No. 45, granting request of The American Steel and Wire Company of New Jersey (Cyclone Fence Division), contained in Change Order 2 dated November 21, 1951, for extension of 30 days to and including January 25, 1952, heretofore filed with the City Clerk as Document No. 442064, in which to complete contract for construction of cyclone fence along Wabash Boulevard, and which contract is contained in Document No. 438669 on file in the office of the City Clerk, and extending time until January 25, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104692, recorded on Microfilm Roll No. 45, granting request of Moffitt & Waddington, contained in Change Order No. 1 dated November 27, 1951, for extension of time of 30 days to and including February 13, 1952, heretofore filed with the City Clerk as Document No. 442066, in which to complete contract for construction of sprinkler system in Division 8 Mt. Hope Cemetery, which contract is contained in Document No. 439763 on file in the office of the City Clerk, and extending time until February 13, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104693, recorded on Microfilm Roll No. 45, granting request of Cyclone Fence Company, contained in Change Order No. 1 dated November 13, 1951, filed with the City Clerk as Document No. 442068, issued in connection with contract for installation of fence along Wabash Freeway, contract contained in Document No. 438669 on file in the office of the City Clerk, changes amounting to increase in contract price of approximately \$194.38, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104694, recorded on Microfilm Roll No. 45, approving Change Order No. 1 dated November 19, 1951, filed with the City Clerk as Document No. 442070, issued in connection with contract between The City of San Diego and Pipe Linings, Inc., for cleaning and cement mortar lining 30th Street 16" cast iron pipe line, from Polk Avenue to Suncrest Drive, contract contained in Document No. 440187 on file in the office of the City Clerk, amounting to increase in contract price of \$230.00, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104695, recorded on Microfilm Roll No. 45, granting leave of absence with pay to Mrs. Jean Sutton for such time as she has accumulated to her credit on records of the Classified Service for vacation and sick leave, commencing December 21, 1951, and ending February 5, 1952, and thereafter without pay for a period of time not to exceed 6 months, during which she is physically incapacitated from performing her duties as Secretary to the City Council, subject to approval of the Civil Service, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Council is advised that Mrs. Sutton will be compelled to be absent from City service because of physical incapacity to perform her duties, and expects during a portion of said time to be confined to a hospital because of such illness, and that the Council is of the opinion that she is entitled to sick leave as authorized by rules of the Civil Service as approved by Ordinance, both with and without pay.

RESOLUTION NO. 104696, recorded on Microfilm Roll No. 45, accepting deed of Harry Rocks, bearing date December 6, 1951, conveying an easement and right of way for storm drain in portion of Lot 24 Block 5 Pacific Beach Vista Tract; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Proposed Ordinance appropriating the sum of \$100.00 from the Unappropriated Balance Fund, for the purpose of providing funds for purchase of prizes to be given to the winner of the best essay on traffic safety, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Godfrey. Nays--Councilmen None. Absent--Councilmen Dail, Godfrey, Mayor Butler.

Said Ordinance was declared not adopted, due to having only 4 votes, and the Vice Mayor announced that the matter would be presented again for its adoption.

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

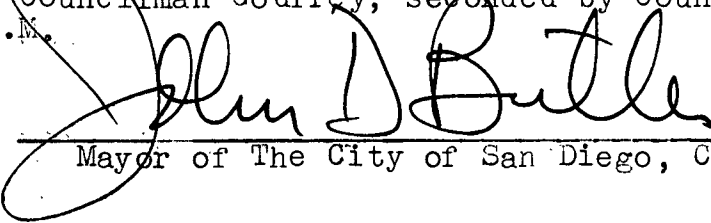
Communication from the Purchasing Agent reporting on bids for furnishing one 8-passenger 4-door sedan, recommending award to Reg Stalmer, the low bidder (there were 3 bidders), was presented.

RESOLUTION NO. 104697, recorded on Microfilm Roll No. 45, accepting bid of Reg Stalmer for the furnishing of one 8-passenger 4-door sedan for the sum of \$3998.00, plus sales tax, awarding contract and authorizing the City Manager to enter into contract, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104698, recorded on Microfilm Roll No. 45, adopting supplemental budget for improvement of Major City Streets and approving First Supplemental Memorandum of Agreement for Expenditure of Gas Tax Allocation for Major City Streets, as set forth in Document No. 442146 on file in the office of the City Clerk; directing the City Manager to sign the same on behalf of the City, said agreement to be binding upon the City upon its execution by the authorized officials of the State of California, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104699, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to purchase concrete pipe at a cost not to exceed \$3,238.80, for the purpose of delivering the same to H. H. Peterson, contractor, to be used in that public improvement involving extension of storm drain across Block 6 Valencia Park Unit No. 1, as shown on City Engineer's Drawing No. 9191-L, upon the understanding that the contractor will install said drain in connection with said improvement under the supervision and direction of the City Engineer, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Wincote, at the hour of 11:00 o'clock A.M.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By _____
Deputy

REGULAR MEETING

Chamber of The Council of The City of San Diego, California,
Thursday, December 13, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

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

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing had been continued on the appeal of Elmer H. Valle and Mary R. Valle from the Zoning Committee's decision in denying variance (continued from meeting of November 15, 1951, and referred back to the Zoning Committee) for permission to divide portion of Lot 12 La Mesa Colony into 4 lots for residences at 5115 - 63rd Street, in Zone R-1, a report from the City Manager was read to the Council. The Manager's said report recommended that the action of the Zoning Committee be upheld and that the proposed street dedication for portion of 63rd Street be accepted only on condition that full street improvements be installed at the expense of the property owners prior to dedication.

Mrs. Valle spoke at this time. She told the Council that she and her husband had not gone into the matter for the purpose of making money. She said it was with the idea of raising funds by sale of property to develop and property and pay for installation of the sewer.

Communication from the Zoning Committee, signed by the Senior Planning Technician, dated November 14, 1951, which had been read on November 15, was read again.

Harry Haelsig, Asst. Planning Director, showed a plat of the property. He referred to adjoining subdivisions, which had developed and improved adjacent streets. He told of the problem regarding the shape of the lots in the Valle property, which he said he thought ought to be combined with Goldstein property and then divided to make a better shaped area. He said that 63rd Street improvement should be provided. In answer to question from Councilman Schneider, Mr. Haelsig said that the lots as provided would be of sufficient size as required by the City, but that there would be one poorly shaped lot.

Councilman Wincote said that a half-width street, as proposed, looks worse than no improvement. He contended that it would force everybody to drive on the wrong side of the street.

Mr. Haelsig said that the subdivision is by osmosis. He declared that it is similar to all surrounding property.

Councilman Godfrey said that there is no unfairness in requiring improvement.

It was Councilman's opinion that it would result in a botched street.

The City Manager spoke of partial improvement of streets, and said that it would be a continuation of the present botched up condition.

Councilman Wincote said that it would be a funny street.

The City Manager said that the City can force development of the other portion of the street by Mr. Goldstein, when he divides his property for sale. Also, he pointed out that the street (63rd Street) is related to access to a large development of property. He said that it would not be an unfair requirement. He contended that the Valles would be getting an advantage over other property owners if the improvement were not required.

Mrs. Valle said that she and her husband are willing to put in the improvements, but that the owners on the other side are not ready now, and that they want to be congenial.

The Mayor pointed out that the City can force the improvement, if Mr. and Mrs. Valle divide and sell off their property.

Mrs. Valle replied that the property owner across the street is not financially ready to improve. She said that she (Mrs. Valle) would be pressed financially by forcing of the improvement.

The Mayor said that it would be a cash job, and would prove to be an advantage to improve at one time.

Councilman Godfrey said that it would hasten solution of the problem to require improvement now.

The City Manager said that the property owners should get together for property division and improvements. He said he thought that the Planning Office might be able to get the owners together. He pointed out that the 1911 Public Improvement Act would be both lengthy and more expensive to the owners. He said "the market and value are there". He said that there should be no problem in financing, because the owners could borrow against the property if necessary.

Mrs. Valle spoke again, and said that Mr. Goldstein wants to do nothing, but wants to sell his property as is.

Councilman Godfrey moved to refer the matter back to the Planning Department regarding the proposed Record of Survey, to come back to the Council, and continue the matter. There was no second.

Councilman Godfrey moved to deny the appeal, for the purpose of securing a test vote, although he indicated that he would vote against his own motion. There was no second.

RESOLUTION NO. 104700, recorded on Microfilm Roll No. 45, referring the appeal of Elmer H. Valle and Mary R. Valle from the Zoning Committee's decision in denying application for zone variance to permit division of portion of Lot 12 La Mesa Colony into 4 lots for residences at 5115 - 63rd Street, in Zone R-1, back to the Planning Commission, with the declared intention of the Council that it will be granted when brought back before the Council, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted. (See action on Manager's recommendation re 63rd St. on next page of these minutes).

Page
268

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Xenia R. Regan, guardian of estate of Mrs. Maude Lewis, and the East San Diego Kiwanis Club, purchaser, from the Zoning Committee's decision in denying application for variance to permit construction of a Boy Scout Clubhouse and play area on Lots 1 and 2 Block 79 City Heights, at 41st and Landis Streets, in Zone R-2, report from the Zoning Committee signed by the Senior Planning Technician, was presented and read.

Thereupon, the Mayor inquired if any interested affected property owners were present who wished to be heard.

Several property owners arose and asked to be heard in protest.

However, before anyone spoke, the Clerk told the Council of a postal card addressed to the Planning Commission by X. R. Regan which stated "inasmuch as I have just received word that J. F. Valleau isn't interested in purchasing Lots 1 and 2 Block 79 City Heights, Zone 2, I hereby withdraw the appeal for a Council hearing", which card was read to the Council. (The card was returned to the Planning Office, at its request).

A motion was made to file the matter, but the City Attorney said that for a clear record of the proceedings the appeal should be denied.

RESOLUTION NO. 104701, recorded on Microfilm Roll No. 45, denying appeal of Xenia R. Regan, guardian of estate of Mrs. Maud Lewis, and the East San Diego Kiwanis Club, purchaser, from the decision of the Zoning Committee in denying application for variance to permit construction of a Boy Scout Clubhouse and play area on Lots 1 and 2 Block 79 City Heights, at 41st and Landis Streets, in Zone R-2, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance establishing a 5-foot setback on the west side of Calmet Avenue between Forward and Midway Streets, and a 0-foot setback on the east side of Sea Rose Place across Lots 31 to 43 Cliffside, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard, verbally, and no written protests were presented.

ORDINANCE NO. 5010 (New Series), recorded on Microfilm Roll No. 45, establishing a 5-foot setback line along the west side of Calmet Avenue between Forward Street and Midway Street, and a 0-foot setback line along the east side of Sea Rose Place between Forward Street and Midway Street across Lots 31 to 43 inclusive, Cliffside, providing a penalty for violation, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Dail.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Dail.

Petition of a group of citizens in widely scattered sections of the City, requesting repeal of the recently-enacted Ordinance providing for compulsory vaccination of dogs, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said petition was ordered filed.

Petition of San Diego Card Room Owners Association, 521 B Street, signed by Wm. W. Brunson, President, and Otto Maupin, Secretary, requesting revocation and cancellation of permits granted to Navy Clubs playing illegal card games after midnight, etc., was presented.

The City Attorney made a verbal report in which he said that the Police Chief and his office are investigating, and that there are 2 matters to come before the Council on the subject.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said petition was referred to the City Manager.

Claim of Juanita Crook 4120 Liberty Street, for damage to her car by a City truck, was presented.

RESOLUTION NO. 104702, recorded on Microfilm Roll No. 45, referring claim of Juanita Crook to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104703, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Gasoline for 12-month period beginning January 1, 1952, in accordance with Specifications on file in the office of the City Clerk bearing Document No. 442147, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104704, recorded on Microfilm Roll No. 45, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of a pelletizing system at the Sewage Treatment Works, filed in the office of the City Clerk and bearing offi-

cial Document No. 442150; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Manager reporting on documents pertaining to proposed dedication for street purposes of a 10-foot strip of land on the southerly side of 63rd Street, through portion of Lot 12 La Mesa Colony, and appeal of Elmer H. Valle and Mary R. Valle from denial by the Zoning Committee of petition to divide property bordering on the proposed dedication into 4 lots; also recommending that the Zoning Committee action be upheld and that the proposed street dedication be accepted only on the conditions that full street improvements be installed at the expense of the property owners prior to dedication, was presented.

Said communication was read to the Council by the Clerk.

RESOLUTION NO. 104705, recorded on Microfilm Roll No. 45, accepting offer contained petition bearing Document No. 441017 of a 10-foot parcel of land for the widening of 63rd Street, adjacent to portion of Lot 12 La Mesa Colony as shown on plat accompanying the same, in connection with appeal of Elmer H. Valle and Mary R. Valle from Zoning Committee denial of application for variance to divide portion of Lot 12 La Mesa Colony into 4 lots for residences in Zone R-1, on conditions set forth in communication from the City Manager dated December 11, 1951, bearing Document No. 442152; authorizing and directing the City Properties Division to secure deeds thereto, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 3 sections of the Subdivision Ordinance in connection with Tentative Map of Don Terrace, was presented.

RESOLUTION NO. 104706, recorded on Microfilm Roll No. 45, suspending Sections 4A8 and 6, 5C of the Subdivision Ordinance in connection with the Tentative Map of Don Terrace, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Don Terrace, a subdivision of 8 lots southerly of Seminole Terrace and east of Seminole Drive, on conditions, was presented.

RESOLUTION NO. 104707, recorded on Microfilm Roll No. 45, approving Tentative Map of Don Terrace, subject to conditions set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending revision of Resolution No. 103927, which approved the Tentative Map of Cosgrove Venice Heights, relating to 3 conditions covering improvements, was presented.

RESOLUTION NO. 104708, recorded on Microfilm Roll No. 45, amending Resolution No. 103927, approving the Tentative Map of Cosgrove Venice Heights, in so far as conditions of said Resolution numbers 5, 6 and 7 are concerned, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending rezoning of Lots A to F Block 231 Horton's Addition, from C Zone to R-4 (heretofore changed from R-4 to C at the request of the Union Tribune Publishing Company so that it might construct offices and newspaper printing plant on the entire block surrounded by Fir, Grape, Third and Fourth - buildings having now been constructed elsewhere), to provide for a better zoning pattern and to prevent obnoxious uses that might develop, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending rezoning portions of Blocks 3 and 6 Ocean View (on Muir Avenue, south of Froude Street) - different from the petition, as result of the Commission's hearing - was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was referred to the City Attorney for presentation of the necessary Ordinance, as recommended.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending rezoning portions of Lots 33 and 34 Lemon Villa, except Hubner Estates, from the existing R-1 Zone to R-2 (instead of R-4 as petitioned for - and stating reasons therefor) - on Ogden Street westerly of 54th Street, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said communication was referred to the City Attorney for preparation and presentation of the necessary Ordinance, in accordance with the Commission's recommendation.

Communication from the Planning Commission recommending that the Council make a finding, concurring with the Commission's findings, declaring that the proposed use of property at 3766 Fifth Avenue by The San Diego Awning Company is a permissible use in C Zone for production and sale of awnings, etc., on conditions set out, was presented.

RESOLUTION NO. 104709, recorded on Microfilm Roll No. 45, declaring that the use by Joseph Ferricone, owner of The San Diego Awning Company, of Lot 18 Block 3 Brookes' Addition (3766 Fifth Avenue) for production and sale of awnings, garden furniture, aluminum awnings, boat covers and trailer awnings is not more obnoxious or detrimental to the welfare of the particular community than other permitted uses in C Zone, provided that the total horse power of electrically operated equipment not exceed 5 horse power, hours of operation limited to 8:00 A.M. and 6:00 (between those hours) and that the only employee be his wife, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the Planning Director recommending exchange of property in Block 294, Pacific Beach, and outlining the differences in the original proposal and the present plan, and recommending reference to the City Attorney for necessary action, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was referred to the City Attorney for preparation and presentation of the necessary papers.

Communication from the Executors of the Last Will and Testament of Henry G. Fenton, by their attorney Charles C. Crouch, being Notice and Demand addressed to Ed Fletcher, Ed Fletcher Company, Vista Irrigation District and the City of San Diego, that the City et al cease and desist from the diversion and use of the waters of San Dieguito River, was presented. Said Document bears City Clerk's Document No. 442087 filed 12/10/51.

RESOLUTION NO. 104710, recorded on Microfilm Roll No. 45, referring said Notice and Demand to the City Manager and to the City Attorney, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the District Engineer, State of California Division of Highways District XI, 1365 Harbor Drive, San Diego, from E. E. Wallace, signed by R. B. Luckenbach, Assistant District Engineer, objecting to large billboards along newly-constructed Freeways, requesting that the matter of control of advertising displays be reviewed by the Planning Commission with the intent of providing adequate controls by ordinance, offering to meet with the Planning Commission and discuss the matter if the Council desires, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said matter was referred to the City Manager.

Communication from State Water Pollution Control Board, State of California, 305 Financial Building, 927 Tenth Street, Sacramento 14, by Warren T. Hannum, Chairman, signed by Vinton W. Bacon, Executive Officer, dated December 3, 1951, submitting booklet entitled "Digest of Sewage Enabling Acts of the State of California", was presented. On motion of Councilman Schneider, seconded by Councilman Godfrey, said matter was referred to the City Manager.

Communication from Wallace Sheldon, 3545 Granada Avenue, offering to submit a plan to solve the downtown parking situation, was presented.

On motion of Councilman Swan, seconded by Councilman Wincote, said matter was referred to the City Manager.

Communication from Mrs. Arnold E. Peterson, Executive Vice-President, A.E. Peterson Mfg. Co., Glendale, Calif., opposing fluoridation of water, setting out her views in opposition and attaching pamphlets on the subject, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, said matter was ordered filed.

Communication from Edith Plummer, 7104 La Jolla Boulevard, being a petition asking that her dog be exempted from rabies shots, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said matter was referred to the City Manager.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 10, 1951, reporting on claim of William E. Berry in the sum of \$26.90, stating that the case was closed by payment of said sum on December 6, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said matter was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 10, 1951, reporting on claim of Mrs. Stella T. Dow in the sum of \$23.50, stating that the case was closed by payment of \$13.50 on December 5, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said matter was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 10, 1951, reporting on claim of E. C. Holt in an unspecified sum, stating that the case was closed by payment of \$14.66 on November 28, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said matter was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 10, 1951, reporting on claim of Nettie Lobdell, in the sum of \$663.16, stating that the case was closed by payment of \$163.16 on November 30, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said matter was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 10, 1951, reporting on claim of Florence A. McCabe in an unspecified sum, stating that the case was closed by payment of \$20.58 on December 5, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said matter was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 10, 1951, reporting on claim of Joseph H. Mitchell, in the sum of \$358.00, stating that the case was closed by payment of said sum on December 6, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said matter was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 10, 1951, reporting on claim of Ray Norrup, in an unspecified sum, stating that the case was closed by payment of \$24.50 on December 5, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said matter was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 10, 1951, reporting on claim of Peter Tomich, in the sum of \$44.03, stating that the case was closed by payment of said sum on November 30, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said matter was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 10, 1951, reporting on claim of G. W. van den Akker, in the sum of \$42.83, stating that the case was closed by payment of said sum on November 28, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said matter was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 10, 1951, reporting on claim of Cecil S. VanVorvis, in the sum of \$35.70, stating that the case was closed by payment of said sum on November 28, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said matter was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 7, 1951, reporting on claim of Raymond Early, Sr., recommending denial, was presented.

RESOLUTION NO. 104711, recorded on Microfilm Roll No. 45, denying claim of Raymond Early, Sr., was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 10, 1951, reporting on claim of Lena Jordan, stating that the claim had been closed on November 27, 1951 without payment, was presented.

RESOLUTION NO. 104712, recorded on Microfilm Roll No. 45, denying claim of Mrs. Lena Jordan, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 10, 1951, reporting on claim of N. B. Ramer, stating that liability has been denied and the file closed on November 27, 1951 without payment, was presented.

RESOLUTION NO. 104713, recorded on Microfilm Roll No. 45, denying claim of N. B. Ramer, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 10, 1951, reporting on claim of Mrs. Marj Shippey, stating that liability has been denied and the file closed on November 27, 1951 without payment, was presented.

RESOLUTION NO. 104714, recorded on Microfilm Roll No. 45, denying claim of Mrs. Marj Shippey, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated December 11, 1951, reporting on claim of Mrs. Julia Becker, stating that the claimant fell over a pedestrian safety island in broad daylight and that it was not defective, was presented.

RESOLUTION NO. 104715, recorded on Microfilm Roll No. 45, denying claim of Mrs. Julia Becker, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104716, recorded on Microfilm Roll No. 45, granting extension of time on request of Dan E. Pace and as recommended by the City Engineer and City Manager, contained in Document No. 442162 on file in the office of the City Clerk, of 20 days to and including December 12, 1951, in which to complete contract for construction of sewer across northerly approach to Morena Boulevard Bridge, contract contained in Document No. 440126 on file in the office of the City Clerk, completion time extended to December 12, 1951; waiving provision of specifications with respect to liquidated damages until term of the contract period as extended, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104717, recorded on Microfilm Roll No. 45, granting permission to American Processing Co. to install approximately 400 lineal feet of 10-inch vitrified clay sewer pipe at a grade less than .02, from property of the Company at the foot of Beardsley Street to the City sewer, for the reason that 10-inch vitrified mechanical compression joints are unavailable and that a storm drain crossing the location precludes installation of the sewer at the full .02 grade, subject to approval of the City Manager and Department of Public Health, upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104718, recorded on Microfilm Roll No. 45, adopting and approving offer of the Point Loma Holding Corporation to dedicate portion of P.L. 197 as an extension of Carleton Street, as shown on Plat 4423-B, subject to improvement of the street as shown on the City Engineer's Drawing No. 9155-L being Document No. 441844 filed in the office of the City Clerk on December 6, 1951, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104719, recorded on Microfilm Roll No. 45, accepting subordination agreement, executed by William H. Black, beneficiary, and Union Title Insurance & Trust Company, trustee, bearing date November 26, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 72 and 78 Rancho Mission of San Diego, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104720, recorded on Microfilm Roll No. 45, accepting subordination agreement, executed by The First National Trust and Savings Bank of San Diego, as trustee and beneficiary, bearing date November 26, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 4 Block 193 City Heights, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104721, recorded on Microfilm Roll No. 45, accepting subordination agreement, executed by Union Title Insurance and Trust Company, beneficiary and trustee, bearing date November 26, 1951, wherein said parties subordinate all their right, title and interest in and to portions of Lots 72 and 78 Rancho Mission of San Diego, to the right of way and easement for street purposes heretofore conveyed to The City of

San Diego; authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104722, recorded on Microfilm Roll No. 45, accepting Partial Reconveyance, executed by Allen Mortgage Company, a partnership, as Successor-Trustee under a Deed of Trust dated September 28, 1949, executed by Elmer White and Ruth C. White, Trustor, bearing date November 24, 1951, reconveying without warranty, to the person or persons legally entitled thereto, a portion of Lot 7 Block 1 Amalfi; authorizing and directing the City Clerk to transmit said Partial Reconveyance, together with certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104723, recorded on Microfilm Roll No. 45, accepting Deed of Roy A. Cook and Virginia R. Cook, husband and wife, executed on the 26th day of November 1951, granting an easement and right of way across the northerly 4.0 feet of the southerly 75.0 feet of the westerly 125.0 feet of the North Half of Acre Lot 63 Pacific Beach; authorizing and directing the City Clerk to file said deed, together with certified copy of his Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104724, recorded on Microfilm Roll No. 45, accepting Deed of Gus Christopher, Ellen Christopher, Edgar Wayne Bourquin, and Charles B. Offerman, bearing date November 27, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 4, 5 and 6 Block 193 City Heights; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104725, recorded on Microfilm Roll No. 45, accepting deed of C. M. Rodefer and Alma M. Rodefer, bearing date November 30, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 4 Block 546 Old San Diego; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104726, recorded on Microfilm Roll No. 45, accepting Deed of Gus Shaw and Hattie E. Shaw, bearing date December 5, 1951, conveying Lot 1 Block 94 Campo del Dios Unit. No. 4; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104727, recorded on Microfilm Roll No. 45, accepting Deed of George R. Daley, conveying portions of Lots 4 and 5 Block 27 Rosedale; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104728, recorded on Microfilm Roll No. 45, accepting Quitclaim Deed of Suy Tang Yee and Goey Siem Yee, bearing date November 29, 1951, quitclaiming a portion of Lot "B" Pueblo Lot 285, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard; authorizing and directing the City Clerk to transmit said quitclaim deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104729, recorded on Microfilm Roll No. 45, accepting Deed of Elmer White and Ruth C. White, bearing date September 17, 1951, conveying portion of Lot 7 Block 1 Amalfi, setting aside and dedicating the same to the public use as and for a public street, and naming the same Torrey Pines Road; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Proposed Ordinance incorporating all of Block 16 Hollywood Park, and portion of P.L. 1784 into "R-2" Zone and repealing Ordinance No. 119 New Series insofar as the same conflicts, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Thursday, December 27, 1951.

Proposed Ordinance incorporating the N.W. 1/4 Lot 28 Ex-Mission Lands of San Diego into an "R-2" Zone and repealing Ordinance No. 35 New Series insofar as the same conflicts, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Thursday, December 27, 1951.

Proposed Ordinance incorporating portion of Lot 53 Ex-Mission Lands of San Diego and portion of Lot 1 Las Alturas Villa Sites into "R-4", "CP" and "C" Zones, repealing Ordinance No. 116 New Series insofar as the same conflicts, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Thursday, December 27, 1951.

ORDINANCE NO. 5011 (New Series), recorded on Microfilm Roll No. 45, establishing the grade of the Alley in Block 127 Choates Addition, between the east line of 32nd Street and the northwesterly line of Federal Boulevard, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Dail.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Dail.

ORDINANCE NO. 5012 (New Series), recorded on Microfilm Roll No. 45, establishing the grade of the Alley in Block 228 Pacific Beach, between the westerly line of Bayard Street and the easterly line of Mission Boulevard, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Dail.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Dail.

ORDINANCE NO. 5013 (New Series), recorded on Microfilm Roll No. 45, establishing the official property line grades on 58th Street, between the southeasterly line of Belleview Heights Unit No. 4, and the northwesterly line of University Avenue; 58th Place between its westerly termination and the westerly line of 58th Street and Olympic Street between its southeasterly termination and the southeasterly line of 58th Street, was on motion of Councilman Schneider, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Dail.

ORDINANCE NO. 5014 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$100.00 from the Unappropriated Balance, for the purpose of providing funds for the purchase of prizes to be given to the winner of the best essay on traffic safety, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Dail.

Said Ordinance was not finally passed until it had been read on two separate calendar days of the Council, to-wit: on the 11th day of December, 1951, and on the 13th day of December, 1951.

RESOLUTION NO. 104730, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to purchase in the open market without advertising for bids, 432 lineal feet of 36-inch centrifugal concrete pipe and 136 lineal feet of 18-inch centrifugal concrete pipe, at a cost not to exceed \$3,238.80, for the purpose of delivering the same to H. H. Peterson, contractor, to be used in extension of storm drain across Block 6 Valencia Park Unit No. 1, as shown on City Engineer's Drawing No. 9191-D, upon understanding that the contractor will install the drain under supervision and direction of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution, not listed on the agenda, was introduced under unanimous consent granted to the City Manager. The Manager made a verbal report in which he said that the pipe would cost less and speed up the procedure by adoption of the Resolution. He said, also, that there is only one source of supply.

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

RESOLUTION NO. 104731, recorded on Microfilm Roll No. 45, authorizing and empowering the Harbor Commission to employ Edward J. P. Davis as an expert to compile a history of the Harbor of The City of San Diego, to be for the period from December 1, 1951, to the 30th day of June, 1952, at and for the compensation of \$1883.00, payable semi-monthly at the rate of \$269.00 per month; repealing Resolution No. 104575 adopted December 4, 1951, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Prior to adoption of said Resolution, the City Attorney made a verbal report to the Council. He said that the City could not employ Mr. Davis (a former City employee - of the Harbor Department - who had retired on his age limit) upon the basis provided for in Resolution No. 104575, and that it was necessary to repeal that Resolution and adopt a new one to permit employment under proper authorization.

At this time Mayor Butler made a brief verbal report upon conferences which had been held with representatives of the Federal Government, attended by himself, Councilmen Kerrigan and Dail, which dealt with the "2nd barrel" proposed contracts. He read a telegram from Councilman Dail assuring the City of success in the matter.

The Mayor reported that the attorneys representing the Navy Department were investigating the matter of billing for water at the same time that the Council was considering the same problem.

He said that he is happy over results of the Conference and at the attitudes of the Federal conferees. He spoke about rates to be charged to the Federal Government, and said that the City will not run into difficulty on that point.

The Mayor said that all the lawyers (the U.S.A.'s) can do is give their opinions upon the matter, which are not binding upon the Government.

He told of terms of the Act of Congress, and said that the Navy is dealing with the City of San Diego - not with the San Diego County Water Authority. He assured the Council that the situation is now quite clear.

Asked by members of the Council about the matter of funds for local housing, the Mayor reported that monies are available.

Answering the question as to whether or not the local scandal regarding the V.A. housing had affected the situation in Washington on the housing project proceeding, the Mayor replied that it had not. He said that it is viewed there as a minor scandal.

The Mayor presented a communication from Eddie A. Wakelin, dated Dec. 12, 1951, submitting application to lease Mission Beach Amusement Center, and referring to brochure on the subject. The communication was addressed to the Mayor and the Council.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was referred to the City Manager.

At this time Councilman Schneider brought up the matter of compulsory vaccination of dogs, as provided for in the recently-adopted ordinance. He said that it is an arbitrary matter to provide for vaccination as a requirement prior to license issuance. He told the Council that there was much feeling among San Diego citizens that the order constitutes an invasion of private rights.

The City Manager pointed that the matter has already been referred to his office by the Council, for study to be made with the Health Director, and report to the Council.

Councilman Schneider said that there is no alternative provided under the ordinance.

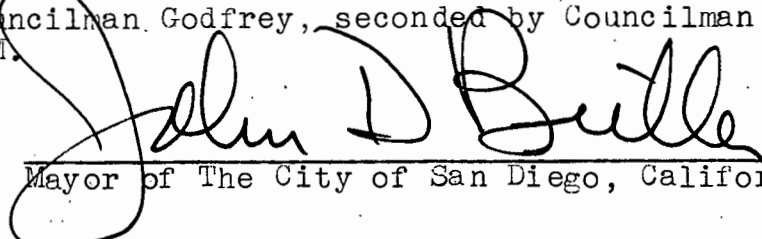
The City Manager said that study is being made of that problem, as well as regarding the time element in the licensing provision.

Councilman Schneider declared that it is not a personal matter with him, but said that he was thinking about the general effect upon the public.

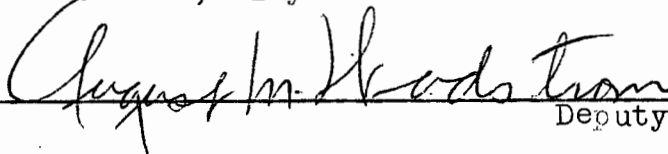
Councilman Godfrey said that it is largely a case of emotional upset.

No action was taken.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Schneider, at the hour of 11:12 o'clock A.M.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, December 18, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:03 o'clock A.M.

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

The Minutes of the Regular Meetings of Tuesday, December 11, 1951, and of Thursday, December 13, 1951, were presented to the Council by the Clerk.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said Minutes were approved without being read, after which they were signed by the Mayor.

Councilman Swan and Councilman Godfrey entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving bids for construction of Morena Boulevard, Camino del Rio Overcrossing, under Specification No. 205 of the City Engineering Department, the Clerk reported that 6 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Johnson Western Constructors, a corporation, accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of ten percent (10%) of the amount of the attached bid, which bid was given Document No. 442401;

The bid of Macco Corporation, a Nevada corporation, accompanied by bond written by Fidelity and Deposit Company of Maryland, in the sum of fifty thousand and no/100 dollars (\$50,000.00), which bid was given Document No. 442402;

The bid of Guy F. Atkinson Company, a Nevada Corporation, accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of ten percent (10%) of the amount of the attached bid, which bid was given Document No. 442403;

The bid of M. H. Golden Construction Company, a California corporation, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 442404;

The bid of E. S. & N. S. Johnson, accompanied by bond written by Great American Indemnity Company in the sum of ten per cent (10%) of the amount of accompanying bid, which bid was given Document No. 442405;

The bid of B. O. Larsen, accompanied by bond written by Pacific Indemnity Company in the sum of ten percent (10%) of amount bid, which bid was given Document No. 442406.

Councilman Dail entered the meeting at this time.

On motion of Councilman Swan, seconded by Councilman Wincote, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for construction of sewers in Balboa Avenue, Pasadena Street, Albuquerque Street, De Soto Street, Del Rey Street, Santa Fe Street, Pacific Highway and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 104055, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Charles J. Dorfman, accompanied by bond written by Saint Paul-Mercury Indemnity Company in the sum of thirty-five hundred dollars, which bid was given Document No. 442407;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York, which bond was given Document No. 442408;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of thirty five hundred and no/100 dollars, which bid was given Document No. 442409;

The bid of H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of three thousand and no/100 (\$3,000.00) dollars, which bid was given Document No. 442410.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

At this time a majority of the members of the Council executed undertaking with San Diego Gas & Electric Company for furnishing electric current in San Diego Lighting District No. 3.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104349 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 67 Point Loma Heights, the Mayor announced that the matter had been continued from the meeting of December 11, 1951, for the purpose of considering the proposed Resolution of Feasibility.

RESOLUTION NO. 104732, recorded on Microfilm Roll No. 45, determining that the proposed improvement of the Alley in Block 67 Point Loma Heights, within the limits and as particularly described in Resolution No. 104349 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104350 of Preliminary Determination for the paving and otherwise improving of Pyncheon Street, the Mayor announced that the matter had been continued from the meeting of December 11, 1951, for the purpose of considering the proposed Resolution of Feasibility.

RESOLUTION NO. 104733, recorded on Microfilm Roll No. 45, determining that the proposed improvement of Pyncheon Street, within the limits and as particularly described in Resolution No. 104350 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104351 of Preliminary Determination for the paving and otherwise improving of Quimby Street and Plum Street, the Mayor announced that the matter had been continued from the meeting of December 11, 1951, for the purpose of considering the proposed Resolution of Feasibility.

RESOLUTION NO. 104734, recorded on Microfilm Roll No. 45, determining that the proposed improvement of Quimby Street and Plum Street, within the limits and as particularly described in Resolution No. 104351 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104352 of Preliminary Determination for the paving and otherwise improving of Savoy Street, the Mayor announced that the matter had been continued from the meeting of December 11, 1951, for the purpose of considering the proposed Resolution of Feasibility.

RESOLUTION NO. 104735, recorded on Microfilm Roll No. 45, determining that the proposed improvement of Savoy Street, within the limits and as particularly described in Resolution No. 104352 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determination that public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing on Resolution of Preliminary Determination No. 104353 had been continued from December 11, on the paving and otherwise improving of Tustin Street, the Mayor announced that the Council had agreed to continue the matter further until December 26 for consideration of the protest on the grade and for report from the City Engineer upon investigation he had been directed to make.

RESOLUTION NO. 104736, recorded on Microfilm Roll No. 45, continuing the hearing on Resolution No. 104353 of Preliminary Determination for the improvement of Tustin Street until the hour of 10:00 o'clock A.M. of Wednesday, December 26, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104446 of Preliminary Determination No. for the installation of sewers in 66th Street, Madera Street, Brooklyn Avenue, Wunderlin Avenue, Broadway, Bittern Street, Akins Avenue and Evelyn Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented. RESOLUTION NO. 104737, recorded on Microfilm Roll No. 45, determining that the proposed improvement of 66th Street, Madera Street, Brooklyn Avenue, Wunderlin Avenue, Broadway, Bittern Street, Akins Avenue and Evelyn Street, within the limits and as particularly described in Resolution No. 104446 of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2041 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 175 University Heights, within the limits and as particularly described in Resolution of Intention No. 101859, the Clerk reported that a written appeal had been received from Alberta Sharp Bailey and Louis R. Bailey, which appeal was presented to the Council by the Clerk.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

RESOLUTION NO. 107438, recorded on Microfilm Roll No. 45, overruling and denying the appeal of Alberta Sharp Bailey and Louis R. Bailey, from the Street Superintendent's Assessment No. 2041 made to cover the costs and expenses of the work of paving and otherwise improving of the Alley in Block 175 University Heights, within the limits and as particularly described in Resolution of Intention No. 101859, overruling and denying all other appeals thereon; confirming and approving said Assessment, authorizing and directing the Street Superintendent to issue the same in the manner and form provided by law and record the same in his office, was on motion of Councilman Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Councilman Kerrigan said he felt that the appellants should be informed as to the reasons for denial of their appeal, although it was indicated that they are elderly and not financially able to pay the assessment.

RESOLUTION NO. 104739, recorded on Microfilm Roll No. 45, referring the appeal of Alberta Sharp Bailey and Louis R. Bailey from the Street Superintendent's assessment No. 2041 to the City Attorney for report to the appellants, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance, submitted by the Civil Service Commission, approving and adopting amendments to Section 4 Rule II and Section 11 Rule III of the Rules of the Civil Service Commission, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested persons were present who desired to be heard.

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

ORDINANCE NO. 5015 (New Series), recorded on Microfilm Roll No. 45, approving and adopting proposed amendments of Section 4, Rule II, and Section 11, Rule III, of the Rules of the Civil Service Commission of The City of San Diego, upon which a public hearing was conducted this date, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Communication from Silver Terrace - Bay View Acres Improvement Association, dated 14 December, 1951, signed by Edward Peterson Jr., transmitting petition for the withholding of action on plans to enlarge the present Dog Pound on Azusa Street, was presented.

(Two other items on this matter had previously been referred to the City Manager's office by the City Clerk's office, by request of the Manager).

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

Petition of Western Area Housing Company, 1020 Ninth Avenue, San Diego 1, dated December 10, 1951, signed by Donald Scott, President, requesting the issuance of one building permit, for 895 living units in portions of Lots 37 and 40 Rancho Mission - to be occupied by Military Personnel - and requesting revision of Ordinance to cover the request, was presented.

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

Petition of Property Owners for the paving of Wightman Street, between Swift Avenue and 35th Street, was presented.

Gladys E. Bradley, 3805 Swift, requested that the petition be presented to the Council instead of being referred to the City Engineer, inasmuch as it contained the signatures of 57% of the frontage property owners, instead of 60% as usually required by the Council.

Accompanying the petition was a communication from Mrs. Bradley, owner of Lots 22-24 Block 191 City Heights, setting out her reasons in considerable detail.

Mrs. Bradley appeared before the Council and asked to be heard. She told of another petition in the possession of J. C. Morris containing more signatures, but said that he would not release or file it until more signatures had been obtained to include Wabash Street in the project. She said that was not feasible inasmuch as plans had not been undertaken for a bridge on Wabash Street, and that improvement of Wightman should not be delayed pending another improvement. He said that she has worked for 8 years on the matter, and asked the Council to take action at this time.

The City Engineer made a verbal report in which he recommended to the Council that an exception be made to its rule on the 60% basis, and that the petition be granted.

Mrs. Bradley, asked about possible protests, said that there would be only one, from a woman who lives on 35th Street, whose street frontage is now paved. She said that Mr. Kipp, who owns 50 x 140, is in Mexico, and that his signature cannot be obtained, although he has signed the petition which Mr. Morris holds.

RESOLUTION NO. 104740, recorded on Microfilm Roll No. 45, granting petition for the paving and otherwise improving of Wightman Street between Swift Avenue and 35th Street, under the provisions of the 1911 Improvement Act, as amended, contained in Document No. 441548, although said petition contained the signatures of 57% of the frontage property instead of 60% as customarily required; authorizing and directing the City Engineer to prepare and submit a plat of the district to be assessed for the proposed improvement, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Claim of D. W. Graham, 303 - 47th Street, in the sum of \$56.96, for damage to his automobile resulting from an accident with a City Police car, was presented.

RESOLUTION NO. 104741, recorded on Microfilm Roll No. 45, referring claim of D. W. Graham to the Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Claim of Mrs. Irving Solomon, 3247 - 33rd Street, for damage to water pipe while changing meter at said address, in the sum of \$29.07, was presented.

RESOLUTION NO. 104742, recorded on Microfilm Roll No. 45, referring claim of Mrs. Irving Solomon to the Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104743, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 120 lengths 10" x 3' Bell joint unreinforced concrete sewer pipe, and 55 lengths 18" x 8' T & G, Class 2000-D centrifugally spun reinforced concrete pipe, in accordance with Document No. 442297, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104744, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing sodium silicofluoride and/or sodium fluoride, in accordance with Document No. 442300, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104745, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing gravimetric loss-of-weight type dry Chemical Feeders, in accordance with Document No. 442303, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104746, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Incandescent and Fluorescent Lamps, in accordance with Document No. 442306, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on sale of 22 Police Department and Public Works automobiles no longer required by the City, stating that they had been sold to 14 buyers for \$9,751.50 including sales tax, and that receipts have been deposited with the City Treasurer in the proper accounts, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was ordered filed.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on the sole bid received for covering expansion joints in concrete lining of Bayview Reservoir, recommending rejection and re-advertising, was presented.

RESOLUTION NO. 104747, recorded on Microfilm Roll No. 45, rejecting bid received for covering expansion joints in concrete lining of the Bayview Reservoir, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104748, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to re-advertise for sealed proposals or bids for covering expansion joints in concrete lining of the Bayview Reservoir in accordance with Document No. 440942, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Manager reporting on communication from the Lions Club of San Diego regarding sanitary facilities in Torrey Pines Beach and Mission Bay areas, submitting copy of his reply stating that plans are being prepared for rest rooms for Mission Bay area not already served and for Torrey Pines Beach, but that water and sewer lines will have to be provided before installation can be made, and recommending filing, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said matter was ordered filed.

Communication from the City Manager reporting on communication from San Diego Auto-Trailer Parks, Inc. re leasing area in Torrey Pines extension for a trailer park, submitting copy of his reply stating that the proposed golf course would overlap area previously considered suitable for trailer park, and that if the City's plan were carried out the net income to the City would be exceeded by the City's cost, was presented. The communication stated, also, that development of the area for a golf course is delayed at the present due to compulsory federal ban on such construction.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was ordered filed.

Communication from the City Manager reporting on communication from San Diego Taxpayers' Association regarding policy governing City contributions to cultural and civic activities and projects, submitting copy of his reply stating that a start on a program has been made and that it is the intention to meet with the County, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the matter was ordered filed.

Application of James F. Fazio and Patsy J. Fazio, 3600 Main Street, for a Class A license to conduct public dance at Luke's Cocktain Lounge, was presented, together with recommendations from the interested City departments for its granting.

RESOLUTION NO. 104749, recorded on Microfilm Roll No. 45, granting application of James F. Fazio and Patsy J. Fazio, 3630 Main Street, for Class A license to conduct public dance at Luke's Cocktail Lounge, at said address, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Application of James F. Fazio and Patsy J. Fazio for permission to conduct a cabaret at Luke's Cocktail Lounge, 3600 Main Street, was presented, together with recommendations from the interested City departments for its granting.

RESOLUTION NO. 104750, recorded on Microfilm Roll No. 45, granting permission to James F. Fazio and Patsy J. Fazio to conduct cabaret with paid entertainment at Luke's Cocktail Lounge, 3600 Main Street, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from the City Manager recommending installation of 600 c.p. overhead street lights at 8 locations, was presented.

RESOLUTION NO. 104751, recorded on Microfilm Roll No. 45, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

- 71st Street at Mohawk Street;
- 71st Street at Saranac Street;
- Ebers Street at Orchard Street;
- 44th Street at Myrtle Street;
- Ingraham Street at Oliver Street;
- Lucerne Drive at Poinsettia Street;
- 33rd Street at C Street;
- Utah Street at Dwight Street;

all in accordance with recommendation of the City Manager, on file in the office of the City Clerk, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 8 sections of the subdivision Ordinance in connection with the revised Tentative Map of Collwood Terrace Unit No. 2, was presented.

RESOLUTION NO. 104752, recorded on Microfilm Roll No. 45, suspending Sections 3I2, 3G1 and 2, 3E5, 3J8, 4A8 and 6, 5C, in connection with the Revised Tentative Map of Collwood Terrace Unit No. 2, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the revised Tentative Map of Collwood Terrace Unit No. 2, for subdivision of 8 lots of portions of Lots 11 and 12 Marcellena Tract, and portion of Lot 21 Rancho Mission of San Diego, subject to 8 conditions, was presented.

RESOLUTION NO. 104753, recorded on Microfilm Roll No. 45, approving the revised Tentative Map of Collwood Terrace Unit No. 2, subject to conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, addressed to the City Manager, and forwarded to the Council with the stamps of approval of the City Manager and the Assistant City Manager, recommending acceptance of offer for the proposed opening of 53rd Street, southerly of Furlow Heights Unit No. 1, was presented.

RESOLUTION NO. 104754, recorded on Microfilm Roll No. 45, accepting offer of Calvary Evangelical Lutheran Church of San Diego to dedicate land for proposed opening of 53rd Street, southerly of Furlow Heights Unit No. 1 as shown on Plat No. 4445-B, and that said street be improved in accordance with City Engineer's drawing No. 9259-L; requesting the Property Department to secure the necessary deed thereto, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, addressed to the City Manager, and forwarded to the Council with the stamps of approval of the City Manager and the Assistant City Manager, recommending acceptance of offer for the extension of proposed Mesquite Way from Baja Drive to 54th Street, was presented.

RESOLUTION NO. 104755, recorded on Microfilm Roll No. 45, accepting offer of Herman Miller, by his attorney in fact Paul Miller, to dedicate land for the proposed opening for the extension of Mesquite Way from Baja Drive to the present 54th Street, as shown on Plat No. A 1908-4; requesting the Property Department to secure deed thereto, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from W. D. Bocker, 1414 Fifth Avenue, requesting permission to be heard by the Council regarding the proposed Transit System franchise, which had been set for December 11 and continued to this date by the Council at Mr. Bocker's request, was presented.

The Mayor recognized Mr. Bocker and invited him to speak.

Mr. Bocker addressed the Council at some length before getting to the subject of the matter he wished to present. He also presented Mrs. Lane, whom he identified as the owner of the property at 1414 Fifth Avenue where he resides. He said that Mr. Lane lives there, also, and that she wishes his remarks to reflect her feelings.

Mr. Bocker read a letter from a former associate of the California Institute of Technology, which dealt with air pollution, particularly as it originates with motorvehicles. He complained of stench from buses. He asked for alleviation of the condition. He then quoted (from memory) from the Motor Vehicle Code, relative to fumes from motor vehicles, and said that it is the Council's duty to take care of the situation. He said that the company has done nothing to correct the condition. Mr. Bocker then referred to published statement of the City Manager which stated that he thought he had made a good deal with the Transit System regarding repair of streets at bus stops. He said that is inconsistent with the San Diego Electric Co. (predecessor to the Transit System) 50-year franchise. He said that the Electric Railway Co. had paid for the paving of a good portion of the street adjacent to its franchise. He said that the Railway Co. had operated at one third of the traffic carried by the Transit System, at a profit. Mr. Bocker that the requirement for repair of stops, in the proposed franchise, is paltry. He said that the Transit System should pay a similar amount to that paid by its predecessor for pavement. He spoke about long term franchises for utilities, under which they are slow to remedy complaints made by cities, municipalities, etc., or the people. He contended that it is often necessary to go to court before getting conditions corrected. He said that the franchise should be for not longer than 10 years, preferably 5 years.

The Mayor thanked Mr. Bocker for expressing his views.

Councilman Schneider sought to speak, but the Mayor attempted to discourage any remarks which might lead to debate.

Mr. Schneider said he had asked for the floor, and expected to have it.

The Mayor acquiesced, and Mr. Schneider proceeded. He said that Mr. Bocker was apparently unaware that all his points had been dug into by the City authorities. He said that the franchise as proposed is about the best the City can get. He reiterated that the terms are the best that can be obtained by the City.

Mr. Bocker proceeded, briefly along the lines of his first statements.

Councilman Schneider moved to refer to the City Manager the matter of fumes from buses.

Before the motion could be seconded, Councilman Kerrigan said that it should be referred to the Public Utilities Commission.

Councilman Godfrey seconded the motion, resulting in

RESOLUTION NO. 104756, recorded on Microfilm Roll No. 45, referring the verbal protest made by W. D. Bocker, 1414 Fifth Avenue, against fumes emanating from buses

operated by the San Diego Transit System to the City Manager, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Beverly Hill Civic Organization, dated December 8, 1951, signed by Gertrude C. Benedict, requesting allocation of funds for a street trees planting program, to tie in with recently-improved streets in the area, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, said communication was referred to the City Manager.

Communication from San Diego Chamber of Commerce, dated November 26, 1951, signed by Harry L. Foster, President, suggesting a compromise as outlined therein, in connection with the collateral contract pending in connection with the so-called "2nd barrel" for Colorado River Water, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was ordered filed.

Communication from Pacific Indemnity Company reporting on claim of H. R. Breeden, arising out of alleged damage caused by bursting of 12" water main at intersection of Montezuma Road and Yerba Santa Drive, recommending denial, was presented.

RESOLUTION NO. 104757, recorded on Microfilm Roll No. 45, denying claim of H. R. Breeden, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 104758, recorded on Microfilm Roll No. 45, accepting bid of San Diego Gas & Electric Co., and awarding contract for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 3, for a period of one year from and including August 7, 1951, to and including August 6, 1952, in strict accordance with Engineer's Report and Assessment therefor, filed September 28, 1951, in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 104759, recorded on Microfilm Roll No. 45, for the paving and otherwise improving of the Alley in Block 41 Ocean Beach, and Ebers Street, within the limits and as particularly described in Resolution of Intention No. 104264, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 104760, recorded on Microfilm Roll No. 45, for the paving and otherwise improving of the Alley in Block 3 Wilshire Place, and Meade Avenue, within the limits and as particularly described in Resolution of Intention No. 104265, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 104761, recorded on Microfilm Roll No. 45, for the paving and otherwise improving of Palermo Drive and Alcott Street, within the limits and as particularly described in Resolution of Intention No. 104266, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 104762, recorded on Microfilm Roll No. 45, for the furnishing of electric current for the lighting of the ornamental street lights located in Adams Avenue Lighting District No. 1, for a period of one year from and including October 13, 1951, to and including October 12, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 104763, recorded on Microfilm Roll No. 45, for the furnishing of electric current for the lighting of the ornamental street lights located in Midway Drive Lighting District No. 1, for a period of one year from and including October 1, 1951, to and including September 30, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 104764, recorded on Microfilm Roll No. 45, for the furnishing of electric current for the lighting of the ornamental street lights located in Roseville Lighting District No. 1, for a period of one year from and including October 15, 1951, to and including October 14, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104765, recorded on Microfilm Roll No. 45, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District No. 1, in strict accordance with plans and specifications contained in Engineer's Report and Assessment filed October 26, 1951 in the office of the City Clerk, for a period of one year from and including

September 15, 1951, to and including September 14, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104766, recorded on Microfilm Roll No. 45, for the paving and otherwise improving of the Alley in Block 13 Point Loma Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104767, recorded on Microfilm Roll No. 45, for the paving and otherwise improving of Tourmaline Street, Bayard Street, Opal Street and Loring Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104768, recorded on Microfilm Roll No. 45, for the furnishing of electric current in Garnet Street Lighting District Number One, for a period of one year from and including January 30, 1952, to and including January 29, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104769, recorded on Microfilm Roll No. 45, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Gamma Street, 42nd Street and Beta Street, within the limits and as particularly described in Resolution of Intention No. 103448, and to pay the expenses of the assessment therefor, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104770, recorded on Microfilm Roll No. 45, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Jewell Street, within the limits and as particularly described in Resolution of Intention No. 103361, and to pay the expenses of the assessment therefor, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104771, recorded on Microfilm Roll No. 45, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of La Jolla Hermosa Avenue, within the limits and as particularly described in Resolution of Intention No. 103208, and to pay the expenses of the assessment therefor, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104772, recorded on Microfilm Roll No. 45, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Niagara Avenue and Catalina Boulevard within the limits and as particularly described in Resolution of Intention No. 103137, and to pay the expenses of the assessment therefor, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104773, recorded on Microfilm Roll No. 45, adopting recommendation of the City Engineer filed in the office of the City Clerk on December 7, 1951, under Document No. 442016; authorizing the City Engineer to consolidate the proceedings for the improvement of the Alley in Block 1 City Heights, and the Alley in Block 2 City Heights, and include the improvement of Dwight Street between Nile Street and Boundary Street, all in accordance with said recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104774, recorded on Microfilm Roll No. 45, granting petitions contained in Documents numbered 439409 and 441213 for the paving and otherwise improving of the Alley in Block 158 Pacific Beach and the Alley in Block 157 Pacific Beach; directing the City Engineer to furnish description of the assessment district and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, including installation of sewer laterals and water services if required, all in accordance with recommendation filed in the office of the City Clerk under Document No. 442263, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104775, recorded on Microfilm Roll No. 45, establishing Broadway between the east line of Kettner Boulevard and the west line of Third Avenue as "Through Highway"; directing that the installation of the necessary signs and markings be made, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104776, recorded on Microfilm Roll No. 45, declaring the following intersections of streets to be "Intersection Stops":
 54th Street and Adams Avenue, affecting traffic on Adams Avenue;
 Orange Avenue and Boundary Street, affecting traffic on Boundary Street;
 Orange Avenue and Wilson Avenue, affecting traffic on Wilson Avenue;
 authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104777, recorded on Microfilm Roll No. 45, establishing two-hour parking zones, between the hours of 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted, on the following streets:

Both sides of Prospect Street, between Ivanhoe Avenue and Cave Street;
 Both sides of Jenner Street, between Coast Boulevard South and Prospect Street;
 authorizing and directing installation of necessary signs and markings; repealing all resolutions or parts of resolutions in conflict, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104778, recorded on Microfilm Roll No. 45, authorizing the Property Supervisor to file petition with the Board of Supervisors requesting that all taxes, together with all penalties and other expenses in connection therewith be cancelled, and that all deeds to the State of California for delinquent taxes be cancelled; authorizing him to take whatever steps he may deem necessary otherwise to secure cancellation of said taxes and deeds, on various parcels of City-owned land in Pueblo Lots 1285 and 1286, Old San Diego, Montclair, Pueblo Lot 300, Lexington Park, G. H. Crippen's Addition, San Diego Homestead Union, Amalfi and Lemon Villa, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104779, recorded on Microfilm Roll No. 45, declaring the bid of Richard Gill and Arthur A. Seeligson for purchase of 20.103 acres of land in Pueblo Lot 1297 of the Pueblo Lands of San Diego to be the highest responsible and reliable bid; selling said property which is more particularly described in said Resolution, offered at public auction on November 20, 1951, at \$2000.00 per acre; authorizing and empowering the Mayor and City Clerk to execute a quitclaim deed quitclaiming to Richard Gill, a married man, and Arthur A. Seeligson, a married man, as joint tenants, said property; said Resolution outlining in detail the express conditions upon which conveyance shall be made, and stating that a violation of any of said conditions on the part of the grantees or their successors in interest shall at the option of The City of San Diego cause a forfeiture of title; authorizing and directing the Property Supervisor to place said deed in escrow with directions that the same be delivered to the successful bidders when all escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104780, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to advertise for sale and sell approximately 20 tons of cast iron, 5 tons of steel and 300 pounds of brass, located at the storage yard at Kettner Boulevard and Vine Street, approximately 5 tons of scrap cast iron and 5 tons of scrap steel, located at the Chollas Storage Yard, no longer desirable for use or retention by the City, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104781, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to purchase in the open market, without advertising for bids, when available, approximately 15,000 cubic yards of dirt, at the current price of 35¢ per cubic yard, to continue covering of sand fills in connection with Mission Bay Project - from street improvement projects in Pacific Beach and vicinity, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104782, recorded on Microfilm Roll No. 45, authorizing and directing the City Manager to do all the work in connection with grading of the Alley in Block 127 Choate's Addition, between the easterly line of 32nd Street and the westerly line of Federal Boulevard, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Said resolution recites that the City Manager has recommended said grading to provide access for garages on property facing F Street, which access was cut off by grading of the new Federal Boulevard in the construction of the freeway, and that he has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 104783, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to execute a contract with San Diego Gas & Electric Company for

the furnishing of all electric current, transformers, lines, switches and other material and equipment necessary for furnishing electric current for Class A lamp street light circuits, also for furnishing all poles, wires, conduits, lamps, arms, and all other appliances and electric current, together with maintenance of poles, wires, conduits, lamps and arms and appliances for Class B lamps for lighting of the streets, avenues, boulevards, places, drives and ways in the City of San Diego, for a period of 12 months from and after the 1st day of July, 1951, to and including the 30th day of June, 1952, for all lights that were installed and burning as of July 1, 1951, for prices as in said contract specified, and in strict compliance with terms and conditions of said contract and in accordance with specifications contained in Document No. 441751 on file in the office of the City Clerk and as shown on plans on file in the office of the City Engineer, which agreement shall be based upon said specifications and schedule of rates of the Public Utilities Commission of the State of California a copy of which is filed in the office of said City Clerk under Document No. 411112, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104784, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to enter into contract for and on behalf of the City of San Diego with Joseph Avoyer and Stephanie Avoyer, husband and wife, subdividers of La Jolla Cliffs, being portion of Pueblo Lots 1311 and 1312, providing for installation of water mains and appurtenant structures, and for reimbursement by The City of San Diego to the subdividers of the sum of \$10,262.92 for the difference in cost between the water mains and appurtenances required to be installed and the larger size water mains and appurtenances required by the City, upon execution and delivery to the City of a quitclaim deed conveying to the City all right, title and interest of the subdividers in and to all water mains and appurtenant structures located on public streets, rights of way, highways and public places, either within or without the subdivision named "La Jolla Cliffs"; authorizing the City Auditor and Comptroller to issue warrant in the amount of \$10,262.92 payable jointly to Joseph Avoyer and Stephanie Avoyer and Schafer & Stowers, it being understood that Schafer & Stowers have waived any and all lien rights which they may have had in and to any portion of the above-mentioned water mains and appurtenant structures, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104785, recorded on Microfilm Roll No. 45, authorizing the City Manager to enter into and execute an amendment to the lease agreement made and entered with Warner Austin, Roy E. Matheson and Roy J. Hurd, covering operation of Mission Beach Ballroom from the gross receipts as how defined in said lease upon which the lessees pay 7% but that in lieu thereof the lessee shall pay \$50.00 per event held in the Ballroom, with a minimum of \$2,600.00 per year as rental, which minimum is in addition to the present minimum of \$10,000.00 per year called for under the present lease, and that the days and hours of operation of the Amusement Center be arranged to the mutual satisfaction of the City Manager and the Lessees, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104786, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to enter into lease with Agnes E. Shoemaker for leasing for homesite purposes portion of Lot 1 Magnolia Ranch Tract, at an annual rental of \$25.00 payable yearly in advance, for a period of 5 years beginning October 1, 1951, and ending September 30, 1956, upon terms and conditions set out in form of lease on file in the office of the City Clerk as Document No. 442339, which real property has a value of \$350.00 as disclosed by report of the last appraisal made by the Auditor and Comptroller of the City, and which land is being leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104787, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to execute, for and on behalf of The City, an agreement with Fairchild Aerial Surveys, Inc., Photogrammetric Engineers and Consultants, a corporation, of Los Angeles, for consulting and professional services in planning and production of topographic maps by photogrammetric methods in connection with aerial survey of portions of The City of San Diego, for which the City agrees to pay \$29,856.00, at times and in amounts set forth in said agreement, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104788, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to execute an agreement, for and on behalf of The City, employing the services of Clarence A. Winder as a public utilities consultant for the term beginning January 1st, 1952, and ending June 30, 1952, at a compensation of \$400.00 per month, plus any expenses arising out of trips to San Diego or any other city made at the request of the City, and in addition the sum of \$50.00 per diem, plus actual expenses incurred, in the event said consultant is used as an expert witness to testify in formal hearings before any commission or court, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Prior to adoption of said Resolution, the City Manager made a brief verbal explanation of the matter.

RESOLUTION NO. 104789, recorded on Microfilm Roll No. 45, granting request of Walter H. Barber, and the recommendation of the City Engineer approved by the City Manager, as contained in Document No. 442343 on file in the office of the City Clerk for extension of time of 30 days to and including January 8, 1952, in which to complete contract for construction of the 54-inch outfall sewer at the Sewage Treatment Plant, which contract is contained in Document No. 434680 on file in the office of the City Clerk, and extending time of completion to January 8, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104790, recorded on Microfilm Roll No. 45, granting to United States Plywood Corporation, pursuant to written report and recommendation of the City Manager on file in the office of the City Clerk, and petition and print on file in the office of the City Clerk under Document No. 441267, permission to construct operate and maintain a spur track in and along Colton Avenue, as more particularly described in said Resolution, and upon terms and conditions set out therein, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104791, recorded on Microfilm Roll No. 45, granting permission to San Diego Gas & Electric Company to construct, install, repair, maintain, replace and operate an electric power pole line across portions of City-owned Pueblo Lots 1265, 1266 and 1781, at the location shown in red on Survey T-642 accompanying application, on file in the office of the City Clerk under Document No. 442470, the route more particularly described in said Resolution, subject to revocation, and upon the several conditions set out in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104792, recorded on Microfilm Roll No. 45, granting permission to City Chevrolet to remove 60 feet of curb on the west side of India Street, between points 40 and 100 feet south of the south line of Beech Street, for installation of driveway adjacent to Lot 11 and the south 10 feet of Lot 12 Block 18 Middletown, to serve the Chevrolet Parts Wholesale plant at said location; the layout of the off-street parking area to be such as to enable all parked cars to be entirely clear of the property line; in accordance with all rules, regulations and ordinances of The City of San Diego governing same, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104793, recorded on Microfilm Roll No. 45, granting permission to Roy A. Cook to install a 4-inch cast iron sewer line between the property line and the sidewalk, to be placed two feet outside of the property line and to run in a northerly direction, parallel to the west line of Acre Lot 63 Pacific Beach, to point of intersection with public sewer, to serve property at 1604-20 Oliver Street, subject to approval of the San Diego Health Department and the City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104794, recorded on Microfilm Roll No. 45, granting permission to Mrs. E. P. Copeland, 4312 53rd Street, San Diego, to install a 60-foot soil line, at a grade of less than 1/4" per foot fall, in order to make connection with City sewer, subject to approval of the City Manager and Department of Public Health, and upon conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104795, recorded on Microfilm Roll No. 45, granting permission to San Diego Unified School District to lay a 6-inch sewer line from the toilet unit of the Orton E. Darnall Elementary School, in the Redwood Village area, to a connection with the City sewer on Hughes Street, at a fall of 1/6" per foot, subject to approval of the City Manager and Department of Public Health, and upon conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104796, recorded on Microfilm Roll No. 45, authorizing and empowering the City Treasurer to issue to Bank of America a duplicate of the \$20.00 coupon due October 1, 1951 from \$1,000.00 City of San Diego Library 4% bond, No. 101 due 10-1-52 dated 10-1-50, which has been lost, mislaid, destroyed or stolen and cannot be found or produced, upon which said Bank has caused to be filed with the City a surety bond sufficient to protect the City in the premises, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104797, recorded on Microfilm Roll No. 45, determining and declaring that the public interest, convenience and necessity of The City of San Diego require the construction, operation and maintenance of a park and recreation center upon portions of Lots A and B in Pueblo Lot 259 (more particularly set forth in said Resolution)

in The City of San Diego, and that the public interest, convenience and necessity demand the acquisition of said lands; declaring the intention of The City of San Diego to acquire said lands under Eminent Domain Proceedings; directing the City Attorney to commence an action in the Superior Court of The State of California, in and for the County of San Diego, for the purpose of condemning said lands, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104798, recorded on Microfilm Roll No. 45, authorizing E. W. Blom, Assistant City Manager, to attend the Truck Taxation Subcommittee Meeting, to be held in San Francisco on Tuesday, January 8, 1952; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104799, recorded on Microfilm Roll No. 45, allowing the bill of San Diego Junior Chamber of Commerce, bearing date of December 10, 1951, in the sum of \$250.00 for expenses incurred in connection with the City of San Diego's share of Tournament of Roses Parade float cost, as approved by the Advertising Control Committee; authorizing requisition to be drawn on the Advertising and Publicity Fund of The City of San Diego for the fiscal year 1951-52 for said sum, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104800, recorded on Microfilm Roll No. 45, vacating easement, pursuant to Division I Part I Chapter 2 Article V Section 50443 of the Government Code of the State of California, more particularly described in said Resolution, directing the City Clerk to cause a certified copy of said Resolution to be recorded in the office of the County Recorder of San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Said Resolution recites that The City was granted an easement for water main purposes by deed dated May 14, 1927 by the then owners, which deed was recorded May 25, 1927, in Deed Book 1367 page 54 Official Records in the Office of the County Recorder, that said easement has not been used for the purpose for which it was required, and that it is unnecessary for present or prospective use.

RESOLUTION NO. 104801, recorded on Microfilm Roll No. 45, accepting offer of Western Mutual Corporation by Palmer Conner, President, 132 West First Street, Los Angeles, to dedicate the necessary lands across Blocks 19 and 20 Paradise Hills for alley purposes, without requiring improvement of the alleys; requesting the Property Department to secure said easements, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104802, recorded on Microfilm Roll No. 45, accepting quitclaim deed executed on the 30th day of October, 1951, by Joseph Avoyer and Stephanie Avoyer, husband and wife, quitclaiming to The City of San Diego all water mains and appurtenant structures located on public streets, rights of way, highways and public places, either within or without the subdivision named "La Jolla Cliffs," being a portion of Pueblo Lots 1311 and 1312; authorizing and directing the City Clerk to file said deed, together with a certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104803, recorded on Microfilm Roll No. 45, authorizing and empowering the Mayor and City Clerk to execute for and on behalf of and as the act and deed of The City of San Diego, a quitclaim deed quitclaiming to R. E. Hazard Contracting Company, portion of the right of way of the County Road known as Friars Road, 50 feet wide, in Pueblo Lots 1106 and 1174, more particularly described in said Resolution; authorizing and directing the City Clerk to deliver said quitclaim deed to the Property Supervisor of the City, with instructions that the same be delivered to R. E. Hazard Contracting Company upon receipt by the City of a deed granting to the City the properties needed by the City for the realignment and straightening of Friars Road, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution recites that The City desires to acquire for street purposes, for realignment and straightening of Friars Road in Pueblo Lots 1106, 1107 and 1174, and that said Company is willing to deed to the City said portions in exchange for portion of right of way for the County Road known as Friars Road in Pueblo Lots 1106 and 1174 closed by Resolution No. 103044; also that it appears from appraisals that the values of said properties are not disproportionate, and that it will be for the best interests of the City to make the exchange.

RESOLUTION NO. 104804, recorded on Microfilm Roll No. 45, authorizing and empowering the Mayor and City Clerk to execute for and on behalf of and as the act and deed of The City of San Diego, a quitclaim deed quitclaiming to Wilbur W. Prickett and Mona E. Prickett, husband and wife, portion of Lot B Loma Alta No. 2, more particularly described in said Resolution; authorizing and directing the City Clerk to deliver said quitclaim deed to the Property Supervisor with instructions that the same be delivered to the Property Supervisor of The City, with instructions that the same be delivered to Wilbur W. Prickett and Mona E. Prickett upon receipt by the City of deeds for portions of Pueblo Lot 212 required by the City, was on motion of Councilman Kerrigan, seconded by

Councilman Wincote, adopted.

Said Resolution recites that the City is desirous of acquiring portion of Pueblo Lot 212 and portion of Lot B Loma Alta No. 2, situated within the area of the Mission Bay Project, that value of the property as determined by a qualified real estate appraiser is \$2500.00, that the City is also desirous of acquiring an easement for right of way for sewer purposes and an easement for public street in said portion of Pueblo Lot, also that the City is the owner of portions of Lot B Loma Alta No. 2 which are no longer required by the City and that the value of said City-owned parcel as determined by a qualified real estate appraiser is \$2500.00, that W. W. Prickett and Mona E. Prickett are willing to deed said property to the City along with the aforementioned easements in exchange for quitclaim deed from the City for portions of Lot B Loma Alta No. 2.

RESOLUTION NO. 104805, recorded on Microfilm Roll No. 45, accepting deed of W. W. Prickett and Mona E. Prickett, husband and wife, executed on the 3rd day of April, 1951, granting an easement for the purpose of a right of way for a public street and incidents thereto, in portion of Pueblo Lot 212, setting aside and dedicating the same to the public use as and for a public street and naming the same West Point Loma Boulevard; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor of said City with instructions that said deed, together with a certified copy of said Resolution, be filed for record in the office of the County Recorder when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104806, recorded on Microfilm Roll No. 45, accepting deed of W. W. Prickett, also known as Wilbur W. Prickett, and Mona E. Prickett, husband and wife, executed on the 17th day of October, 1951, granting all that portion of the north half of the southeasterly one-quarter of Pueblo Lot 212 and all that portion of Lot B Loma Alta No. 2 described in said deed; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor, with instructions that the said deed, together with a certified copy of said Resolution, be filed for record in the office of the County Recorder when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 5016 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$8,000.00 from the Capital Outlay Fund, for the purpose of providing additional funds for construction of the Ocean Beach Storm Drain - in addition to funds heretofore appropriated by Ordinance No. 4661 (New Series) - was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5017 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$450.00 from the Reserve for Price Increases Account, and Transferring the same to "Equipment" Fire Department Fund, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5018 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$200.00 from the Reserve for Price Increases Account, and transferring the same to Maintenance and Support, Budget Office Fund, was on motion of Councilman Swan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5019 (New Series), recorded on Microfilm Roll No. 45, providing a moratorium on the Dog Licensing requirements of The City of San Diego, and amending Sections 2, 3 and 7 of Title III of, and adding a new section to be known and numbered Section 8 of Title III to Ordinance No. 4992 (New Series) adopted November 27, 1951, declaring said Ordinance to be an emergency measure for reasons set forth in the preamble thereto and that the same shall therefore take effect and be in force on the 28th day of December, 1951, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Coun-

cilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Dail, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--None.

ORDINANCE NO. 5020 (New Series), recorded on Microfilm Roll No. 45, dedicating portion of Pueblo Lot 1311, as more particularly described in said Ordinance, for a portion of a public highway and naming the same Miramar Road, repealing all ordinances or parts of ordinances in conflict, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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

He said that Councilman Dail had brought up in Council Conference the matter of the chimes in Balboa Park which had been given to the people of the City of San Diego by Doctor Frank Lowe, and his views that an appropriate resolution expressing the City's thanks therefor, should be adopted.

RESOLUTION NO. 104807, recorded on Microfilm Roll No. 45, referring to the City Attorney for preparation and presentation of a proper resolution expressing thanks to Doctor Frank Lowe for his gift of the carillon, in Balboa Park, to the people of The City of San Diego, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

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

The City Manager presented a letter from the Assistant City Attorney, dated December 14, 1951, referring to receipt of a communication from Commander P. Corradi, of the Bureau of Yards and Docks of the United States Navy, submitting a revised form of collateral agreement to Supplemental Agreement No. 4 of Control NOy-13300 relating to the construction of the "second barrel" of the aqueduct of the Colorado River, submitting a copy of that letter together with a copy of the revised form of agreement, also a form of Resolution for passage by the Council on the subject, which he read to the Council.

The Manager pointed out changes in the collateral agreement, and outlined the provisions of the Resolution as drawn by the Assistant City Attorney.

Councilman Wincote moved to adopt the proposed Resolution, which motion was seconded by Councilman Dail.

Before the roll was called, the City Attorney said that the Resolution and the agreement are in accord with previously-made decisions.

RESOLUTION NO. 104808, recorded on Microfilm Roll No. 45, authorizing and directing the City Clerk to publish or cause to be published in the official newspaper of the City a notice in the following words and figures:

"NOTICE

NOTICE IS HEREBY GIVEN that on the _____ day of January, 1952, the Council of The City of San Diego proposes to take final action upon the adoption or rejection of a resolution authorizing the Manager of The City of San Diego to enter into that certain collateral agreement with the United States of America, represented by the Chief of the Bureau of Yards and Docks of the Navy Department, entitled, "Contract NOy-13300. Collateral Agreement to Supplemental Agreement No. 4 between United States of America and San Diego County Water Authority," a copy of which agreement is on file in the office of the City Clerk of The City of San Diego under Document No. 442498.

NOTICE IS FURTHER GIVEN that said contract even though executed shall not be binding upon the City until it shall have been first approved by a two-thirds majority of the qualified electors of said City voting upon the question of approving said contract.

Dated December _____, 1951.

City Clerk of The City of San Diego,
California."

and that said notice shall be published at least two weeks prior to the said 15th day of January, 1952, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

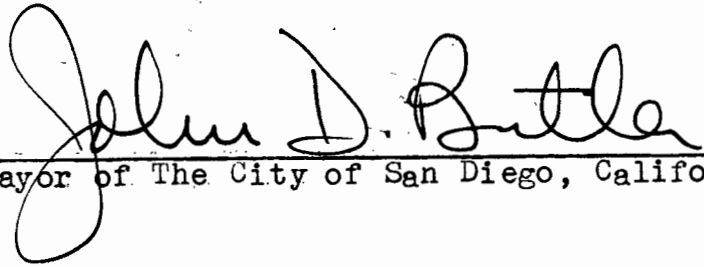
The City Manager presented, under unanimous consent granted by the Council, the next matter of business not listed on the agenda:

ORDINANCE NO. 5021 (New Series), amending Section 2 of Ordinance No. 1845 (New Series), adopted May 14, 1940, which ordinance granted to the Zoological Society of San Diego the right to occupy, maintain and operate Zoological Gardens in Balboa Park, and committing to the society custody, care and maintenance of zoological exhibits therein, which amendment provides the Society with the right to charge an admission fee to the premises, and to furnish and charge for transportation facilities and operate or let concessions, provided that all revenues derived shall be expended by the Society in and about the development, operation and maintenance of the gardens and exhibits, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider,

Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.
Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan,
said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote,
Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Council-
men None.

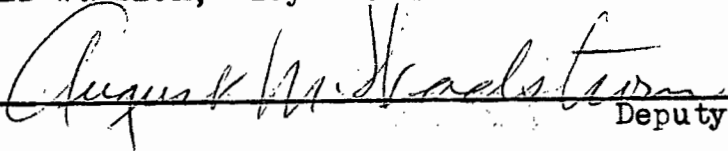
Prior to the adoption of said Ordinance, the City Manager told the Council
that there would be no increase in the charge to Zoo patrons, although the Ordinance per-
mits an increase in admittance from 25¢ to 30¢. He said that the Federal tax had been
removed, and that the admittance which had been 30¢ with tax included, the cost to patrons
would be the same. He added that the zoo would "get the extra 5¢".

There being no further business to come before the Council at this time,
the meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Kerrigan,
at the hour of 10:55 o'clock A.M.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 

Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, December 20, 1951

A Regular Meeting of the Council was held this date, and was called to
order by the Mayor, at the hour of 10:00 o'clock A.M.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set
for the receiving of bids for the improvement of Wabaska Drive from West Point Loma
Boulevard southerly for approximately 1600 feet under Specification No. 203, the Clerk
reported that 7 bids had been received, which bids were presented to the Council.
On motion duly made and seconded, said bids were opened and publicly
declared.

Said bids were as follows:

The bid of E. C. Young, 14934 Cobalt St., San Fernando, Calif., accom-
panied by bond written by Continental Casualty Company in the sum of \$7500.00, which bid
was given Document No. 442588;

The bid of R. E. Hazard Contracting Co., P.O. Box 1951, San Diego, Calif.,
accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount of
bid, which bid was given Document No. 442589;

The bid of Cameron Bros. Const. Co., 4378 Lorca Dr., San Diego 15, Calif-
ornia, accompanied by bond written by Glens Falls Indemnity Company in the sum of ten
percent of amount bid (10%), which bid was given Document No. 442590;

Councilman Godfrey entered the meeting at this time.

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of Three Thousand and No/00 (\$3,000.00) Dollars, which bid was given Document No. 442591;

The bid of E. Paul Ford, Jr., 5050 Market Street, San Diego 2, California, accompanied by bond written by The Fidelity and Casualty Company of New York, in the sum of ten per cent of the total amount of the bid (10% of bid), which bid was given Document No. 442592;

The bid of Griffith Company, 1060 South Broadway, Los Angeles 15, California, accompanied by bond written by National Surety Corporation in the sum of four thousand dollars, which bid was given Document No. 442593;

The bid of Cox Bros. Construction Co., Miramar, California, accompanied by bond written by Great American Indemnity Company in the sum of ten percent of the amount of the bid - or 3,500.00 dollars, which bid was given Document No. 442594.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

At this time Mayor Butler recognized Mr. Don Gardner and Mr. Forest Raymond, representing the Community Chest, and said that he said he understood that they wished to be heard.

Both gentlemen appeared at the microphone, but only Mr. Gardner spoke. He thanked the City for use of the Plaza by the Chest in connection with its drive. He said that more money had been raised this year than in any other so-called "peace time year". The figure was \$640,000.00, with more contributions expected. He told the Council that while a guess had been made that \$500.00 would be collected in the Plaza, \$1834.00 had been taken in at that point. Mr. Gardner referred to the "beautiful girls" who had worked in the booth, one of whom had been Mrs. Wincote, wife of Councilman Wincote. Prompted by Mr. Raymond, Mr. Gardner said that the Chest will contribute a couple of hands full of seeds to replant the Plaza lawn which had deteriorated under the booth.

Mayor Butler thanked the Community Chest through Mr. Gardner and Mr. Raymond for its excellent work.

Petition from Alvarado Community Association and Union Title Insurance and Trust Company, for annexation of territory referred to as Alvarado Unit No. 2, being portion of Lots 23 and 67 of Rancho Ex-Mission of San Diego - uninhabited territory - was presented.

Accompanying the petition was a report from Marie Nasland, Secretary, San Diego County Boundary Commission stating that the boundaries had been checked and found that the proposed annexation would create two islands of unincorporated territory, entirely surrounded by the City; also reporting that it is not recommended for approval since it would be a violation of Section 35326 of the Government Code as related to the annexation of the Uninhabited Territory Act of 1939.

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

Claim of E. C. Wells, Jr., 1141 - 1st Avenue, San Diego, in the sum of \$127.14, for damage to car in collision with City truck, was presented.

RESOLUTION NO. 104809, recorded on Microfilm Roll No. 45, referring claim of E. C. Wells, Jr. to the Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for improvements on Crosby and Water Streets, for the Harbor Department, recommending award to Daley Corporation, the low bidder - there were 5 bidders - was presented.

RESOLUTION NO. 104810, recorded on Microfilm Roll No. 45, accepting bid of Daley Corporation for construction of asphaltic concrete pavement, curbs, and drainage structures on Crosby and Water Streets, awarding contract and authorizing a majority of the members of the Harbor Commission to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Prior to adoption of said Resolution, Councilman Kerrigan asked about the separate item for furnishing of crushed rock, which question was answered by Richard Steck who represented the successful bidder. The City Manager said, also, that the bid was made on the basis of the bid call as sent out by the Purchasing Agent.

Communication from the City Manager, reporting on communication from Theodore W. Gauss on his complaint regarding low flying planes approaching and taking off from Lindbergh Field, submitting copy of his reply stating that the matter is under the exclusive jurisdiction of the Civil Aeronautics Administration of the United States, and that a communication directed to the local office located at Lindbergh Field would receive immediate attention and consideration, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said matter was ordered filed.

Communication from the City Manager reporting on communication from Humphrey P. Lane, requesting information on the proposed expenditures of the \$6,500,000 bond issue for Sutherland Dam, submitting copy of his reply breaking down the fund into the completion of the dam, construction of pipe and tunnel, water rights, rights of way and land below Sutherland, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said matter was ordered filed.

Communication from the City Manager reporting on communication from Edith Plummer relative to vaccination of her dog for rabies and requested that it be exempted, was presented, together with copy of his reply stating that a proposed revision of the ordinance is to come before the Council, and suggested that she watch newspaper coverage. Also, the reply stated that exemption will probably be based on certificate from a licensed veterinarian that the inoculation would endanger the life of the dog, which certificate would require approval of the Director of Public Health. The matter was ordered filed, on motion of Councilman Wincote, seconded by Councilman Dail.

Communication from the City Manager reporting on communication from John N. D. Griffith relative to policy opposing "ribbon" business zones along freeways, major streets or highways, which stated that there is at present no action pending to which the communication would apply, was presented. The report stated that the policy expressed is one which is now generally accepted as sound City planning and one with which the City administration and Planning Commission are in accord.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said matter was ordered filed.

Communication from the City Manager reporting on communication from Wallace Sheldon who had offered a plan to solve the downtown parking problem, was presented together with copy of his reply suggesting that he contact the City Traffic Engineer for an appointment to discuss the plan.

On motion of Councilman Swan, seconded by Councilman Schneider, said matter was ordered filed.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending that the proposed rezoning of Lots 63 and 64 Las Alturas Villa Sites to Zone R-1 be referred to the City Attorney for drafting of the proper ordinance prior to setting the matter for a public hearing, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from State of California Department of Public Health, signed by Malcolm H. Merrill, M.D., Acting Director of Public Health, reporting on application of the City of San Diego dated December 4, 1951, made in accordance with provisions of Section 4011.5 of the Health and Safety Code, for permit to add fluoride compounds to all water served in the City of San Diego, making findings in connection therewith and requesting advice at an early date of the City's acceptance of the provisions set forth therein and its ability to comply, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the matter was ordered filed.

(Inasmuch as the State Dept. asked for a follow up by the City, the Clerk's Office sent the document to the office of the City Manager).

RESOLUTION NO. 104811, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to enter into and execute an agreement with a joint venture consisting of the Ed Fletcher Company, a California Corporation, and a co-partnership composed of Donald Scott, A. R. Benedict, Ralph C. Smith and Harold F. Pettee, Jr., Partners doing business as the Western Area Housing Company, whereby the City shall construct a trunk sewer along Murray Canyon from Mission Valley to a point in the southwesterly boundary of Lot 37 of Rancho Mission of San Diego; said joint venture shall pay to the City the cost thereof over and above the sum of \$72,437.00, all as more particularly set forth in form of agreement filed with the City Clerk as Document No. 442595, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104812, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to enter into agreement for and on behalf of The City of San Diego with the San Diego Unified School District, whereby the District will contribute \$2,000.00 toward construction of storm drain on Trojan Avenue near 54th Street, in accordance with plans and specifications contained in Document No. 442075; the City shall accept said contribution in full satisfaction as the City's obligations with respect thereto, all in accordance with terms and conditions contained in copy of agreement on file in the office of the City Clerk, being Document No. 442596, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104813, recorded on Microfilm Roll No. 45, allowing bill of San Diego City and County Convention Bureau, bearing date of December 13, 1951, in the sum of \$481.12 for expenses incurred, as approved by the Advertising Control Committee; authorizing requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1951-52 for said sum, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104814, recorded on Microfilm Roll No. 45, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, bearing date November 23, 1951, conveying Lot 20 Encanto Park Addition to Encanto Heights; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104815, recorded on Microfilm Roll No. 45, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, bearing date November 23, 1951, conveying Lot 19 Block 189 City Heights; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104816, recorded on Microfilm Roll No. 45, accepting deed of Lee Bernard McConville, Sr. and Louise O. McConville, bearing date November 26, 1951, conveying a portion of Lot 14 Block 46 La Jolla Park; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104817, recorded on Microfilm Roll No. 45, accepting deed of Jesse B. Oldendorf and Elizabeth F. Oldendorf, bearing date December 7, 1951, conveying portion of Lot 15 La Jolla Hills, setting aside and dedicating the same to the public use as and for a public street, and naming the same Torrey Pines Road; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104818, recorded on Microfilm Roll No. 45, accepting deed of Robert D. Forrest and Melba Forrest, bearing date April 26, 1951, conveying an easement and right of way for street purposes in portion of Lots 7 and 8 Block 294 Pacific Beach (the street not named in the Resolution); authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104819, recorded on Microfilm Roll No. 45, accepting deed of Union Title Insurance & Trust Company, bearing date December 8, 1951, conveying an easement and right of way for pedestrian way purposes in portion of Lots 1, 46, 47 and 48 Block 186 University Heights, together with portion of alley in said block and portion of Vermont Street, both having been closed to public use by Resolution No. 101304 of the Council, setting aside and dedicating the same to the public use as and for a public pedestrian way; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104820, recorded on Microfilm Roll No. 45, accepting deed of W. W. Prickett and Mona E. Prickett, husband and wife, granting an easement for the purpose of a right of way for construction, operation and maintenance of a public sewer and appurtenances in portion of the northerly one-half of the northeasterly one-quarter of the southeasterly one-quarter of Pueblo Lot 212; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the said deed together with certified copy of said Resolution, be filed for record in the office of the County Recorder when all escrow instructions have been complied with, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104821, recorded on Microfilm Roll No. 45, accepting deed of Nancy Nesbitt Anderson, bearing date December 5, 1951, conveying an easement and right of way for private sewer purposes in portion of Lot 24 Block "B" Turner and Barr Subdivision of the South Orchard Tract; authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104822, recorded on Microfilm Roll No. 45, accepting deed of Nancy Mae Gould, bearing date December 10, 1951, conveying an easement and right of way for private sewer purposes in portion of Lot 2 Block 128 City Heights; authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104823, recorded on Microfilm Roll No. 45, accepting deed of Richard J. Kuhn and Helen C. Kuhn, bearing date December 10, 1951, conveying easement and right of way for private sewer purposes, portion of Lot 22 Block 257 Pacific Beach; authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104824, recorded on Microfilm Roll No. 45, accepting deed of Carman Buso, bearing date December 12, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 35 Block 1 Orange Park; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104825, recorded on Microfilm Roll No. 45, accepting deed of William J. Francis and Eloise B. Francis, bearing date December 10, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 7 Fortuna Park; authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104826, recorded on Microfilm Roll No. 45, accepting deed of Esther Hillemsback, bearing date November 13, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 10 Block 7 Fortuna Park; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104827, recorded on Microfilm Roll No. 45, accepting deed of Harry Phelps and Marion Phelps, bearing date December 6, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 1 and 4 Block 50 Ocean Beach; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104828, recorded on Microfilm Roll No. 45, accepting deed of Salvatore Sardo and Antoinette Sardo, bearing date November 9, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 7 Block 55 Middletown; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104829, recorded on Microfilm Roll No. 45, accepting deed of Della M. Smith and Mabel A. Smith, bearing date November 8, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 11 Block 179 Middletown; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, adopted by Councilman Schneider, adopted.

RESOLUTION NO. 104830, recorded on Microfilm Roll No. 45, accepting deed of Thomas S. Wylly and Edith M. Wylly, bearing date December 10, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 4 Block "B" South La Jolla; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104831, recorded on Microfilm Roll No. 45, accepting deed of Richard W. Callahan and Lawrence B. Callahan, bearing date December 5, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 44, 45, 47, 48 and 49 Block 6 Pacific Beach Vista Tract; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County; together with

certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104832, recorded on Microfilm Roll No. 45, accepting deed of James M. Devine and Elsa G. Devine, bearing date December 5, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 90 Block 3 First Addition to Pacific Beach Vista Tract; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104833, recorded on Microfilm Roll No. 45, accepting deed of Isabella Hoy Gibson and Charles L. Gibson, bearing date December 5, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 26, 27 and 28 Block 5 Pacific Beach Tract; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, schneider, adopted.

RESOLUTION NO. 104834, recorded on Microfilm Roll No. 45, accepting deed of Glad Tidings Assembly of God, a corporation, bearing date December 12, 1951, conveying an easement and right of way for storm drain purposes in portions of Lots 45, 46 and 47 Block 65 City Heights; authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104835, recorded on Microfilm Roll No. 45, accepting deed of Dorothy L. Hepworth, bearing date December 5, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 31 Block 4 Pacific Beach Vista Tract; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104836, recorded on Microfilm Roll No. 45, accepting deed of Evelyn E. Markgraf, bearing date December 5, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 28 and 29 Block 5 Pacific Beach Vista Tract; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104837, recorded on Microfilm Roll No. 45, accepting deed of H. H. Peterson, bearing date December 10, 1951, conveying an easement and right of way for storm drain purposes, in portion of Lots 5, 6, 9, 10, 11, 12 and 13 Block 6 Valencia Park Unit No. 1; authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104838, recorded on Microfilm Roll No. 45, accepting deed of Hannah M. Russell, bearing date December 5, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 25 and 26 Block 5 Pacific Beach Vista Tract; authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104839, recorded on Microfilm Roll No. 45, accepting deed of Nona O. Smith, bearing date December 5, 1951, conveying an easement and right of way for storm drain purposes in fractional Lot 33 Block 5 First Addition to Pacific Beach Vista Tract; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104840, recorded on Microfilm Roll No. 45, accepting deed of Mary P. Taramasco and Anthony Taramasco, bearing date December 5, 1951, conveying an easement and right of way for storm drain in portion of Lot 33 Block 4 Pacific Beach Vista Tract; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104841, recorded on Microfilm Roll No. 45, accepting deed of Susan Truman, December 5, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 65 Block 5 First Addition to Pacific Beach Vista Tract; authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104842, recorded on Microfilm Roll No. 45, accepting deed of Susan Truman, Milo S. Bales and Ina M. Bales, bearing date December 10, 1951, conveying an easement and right of way for storm drain in portion of Lots 33 and 34 Block 5 Pacific Beach Vista Tract; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104843, recorded on Microfilm Roll No. 45, accepting deed of San Diego Associates, Inc., bearing date November 28, 1951, conveying an easement and right of way for water main purposes in portion of Lots 25 and 26 Seaman's Subdivision; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The proposed Ordinance providing for regulation and supervision of activities of brokers and other persons who sell passenger space on airplanes, making it illegal to make certain representations, providing penalty for violations, etc., was presented.

Councilman Schneider moved to strike the proposed Ordinance from the docket. (The Ordinance had been listed at the request of the Council's Secretary who advised the Clerk's office that it had been determined in Council Conference, where the matter had been considered for many weeks).

The Mayor recognized Henry Hanson, of United Air Lines. Mr. Hanson told the Council that no legitimate business man would object.

The Council entered into discussion among themselves and with Mr. Hanson as to what constituted a legitimate business man, led in questions by Councilman Kerrigan.

Councilman Wincote moved to place the proposed Ordinance (which was not in the Clerk's file) on its final passage, which motion was seconded by Councilman Dail.

Before the roll was called, the Mayor spoke of existing laws which he said will cover the situation. Also, he said, that there is a proposed State law on the subject. He pointed out that an injured party would have to file suit under the bond provided for in the Ordinance, and expressed the opinion that the Council should not adopt the Ordinance.

Mr. Hanson said that many persons will probably be stuck without air transportation under tickets sold by agents who could not provide the service for which they accept money. He referred, especially, to the coming heavy holiday travel.

Councilman Dail said that the proposed Ordinance is not an emergency measure, so that its terms could not be applied to any conditions that might develop over the coming holidays.

Elaborating upon his idea of a legitimate business man, Mr. Hanson said that in his opinion anyone not operating as a scheduled air line but representing to be a scheduled line, is not legitimate - going back to Mr. Kerrigan's question.

Councilman Godfrey said that adoption of the Ordinance will discourage illegitimate operators and phonies, but that its provisions would not disturb or injure anyone who is legitimate.

The Mayor said that he was not convinced that the Ordinance will accomplish what it seeks to do. He felt that the Ordinance would not stop anyone who wanted to do unlawful ticket line agency work for air travel, but that those who chose to operate that way would do so in spite of the ordinance.

Councilman Schneider wondered if the matter could be held in abeyance until after the holidays, to see what develops in the way of air travel.

Councilman Wincote wondered if the ordinance could be declared to be one of an emergency nature, and adopted on that basis by the Council.

Louis Karp, Deputy City Attorney, said that such an Ordinance could be adopted as an emergency if the Council, in its preamble makes the proper finding.

There was heated discussion by members across the table, not addressed through the Chair, so the remarks were not recorded by the Clerk.

The roll was called on the motion for final passage of the proposed Ordinance, with the following results: Yeas--Councilmen Swan, Wincote, Dail, Godfrey. Nays---Councilmen Schneider, Kerrigan, Mayor Butler. Absent--None.

There was discussion on the wording of the motion, and upon the roll taken thereunder.

There was reconsideration, and a new motion was made to place the Ordinance on its first reading, instead of upon its final passage, made by Councilman Godfrey, seconded by Councilman Wincote, resulting in the following vote: Yeas--Councilmen Swan, Wincote, Dail, Godfrey. Nays--Councilmen Schneider, Kerrigan, Mayor Butler. Absent--None.

The Clerk was directed to list the Ordinance on the agenda for the meeting of Wednesday, December 26, 1951, for vote upon its adoption.

ORDINANCE NO. 5022 (New Series), recorded on Microfilm Roll No. 45, establishing the grade of the Alley in Block 11 La Jolla Strand, between the easterly line of Vista Del Mar and the westerly line of La Jolla Boulevard, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5023 (New Series), recorded on Microfilm Roll No. 45, establishing the grade of the Alleys in Block 79 Subdivision of Acre Lots 12 to 15, inc., 39 to 41 incl., and portions of Acre Lots 16, 37, 45 and 46 and Blocks 150 and 151 of Pacific Beach, described in said Ordinance, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None. Kerrigan,

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5024 (New Series), recorded on Microfilm Roll No. 45, establishing the grade of Conde Street, between the southwesterly line of Pine Street and a line produced northwesterly at right angles from a point on the southeasterly line of Conde Street, distant 233.85 feet southwesterly along the southeasterly line of Conde Street from the intersection of the southeasterly line of Conde Street with the southwesterly line of Pine Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5025 (New Series), recorded on Microfilm Roll No. 45, establishing the grade of Olivet Street, between the southeasterly prolongation of the southwesterly line of Ivanhoe Avenue East and the southerly boundary line of Villa Tract La Jolla Park, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5026 (New Series), recorded on Microfilm Roll No. 45, establishing the grade of Puterbaugh Street, between the northwesterly line of Pringle Street and a line produced southwesterly at right angles from a point on the northeasterly line of Puterbaugh Street distant 240.00 feet northeasterly along the northeasterly line of Puterbaugh Street from the intersection of the northeasterly line of Puterbaugh Street with the northwesterly line of Pringle Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

At this time the Mayor requested, and was granted unanimous consent to present a matter not listed on the agenda.

Mayor Butler said he wished to have the Council adopt a Resolution wishing City employees a Merry Christmas and a Happy New Year, but he had no prepared resolution to present to the Council.

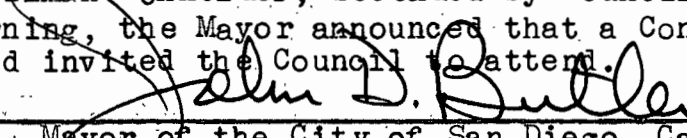
Some discussion took place as to who all should be included in the resolution, some members proposing to add others outside the City employ, such as the people of the City of San Diego, the people of the County of San Diego, etc.

The Mayor asked the Council to have its Resolution greet City employees, only.

RESOLUTION NO. 104844, recorded on Microfilm Roll No. 45, extending to City employees the best wishes of the Mayor and members of the Council for a Merry Christmas and a Happy New Year, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 10:30 o'clock A.M. Upon adjourning, the Mayor announced that a Conference would be held in his office at 11:30 A.M., and invited the Council to attend.

FRED W. SICK, City Clerk

By  Deputy Mayor of the City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Wednesday, December
26, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:02 o'clock A.M.

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

The Minutes of the Regular Meetings of Tuesday, December 18, 1951, and of Thursday, December 20, 1951, were presented to the Council by the Clerk.
On motion of Councilman Schneider, seconded by Councilman Kerrigan, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of street lamps on mast arms in Mission Beach Lighting District No. 2, together with maintenance of the mast arms, wires and lamps, for a period of one year, from and including August 17, 1951, to and including August 16, 1952, in accordance with Engineer's Report and Assessment filed October 15, 1951, in the office of the City Clerk, the Clerk reported that one bid had been received, which bid was presented to the Council.

Thereupon, on motion of duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$104.40, which bid was given Document No. 442842.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Ocean Beach Lighting District No. 1, for a period of one year, from and including August 14, 1951, to and including August 13, 1952, in accordance with Engineer's Report and Assessment for Ocean Beach Lighting District No. 1 filed in the office of the City Clerk, the Clerk reported that one bid had been received, which bid was presented to the Council.

Thereupon, on motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$126.66, which bid was given Document No. 442843.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

Councilman Dail entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Beach Lighting District No. 1, for a period of one year from and including September 1, 1951, to and including August 31, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council.

Thereupon, on motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$282.00, which bid was given Document No. 442844.

On motion of Councilman Schneider, seconded by Councilman Swan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing on Resolution of Preliminary Determination No. 104353 had been continued (from December 11 and December 18, 1951) on the paving and otherwise improving of Tustin Street, for report from the City Engineer upon his investigations which he had been directed to make in connection with the proposed grade, the Engineer made a verbal report to the Council. He presented a drawing of levels, and said "most of the property owners want to

stay with the grade shown on the plans", as he had been advised by members of his staff who had checked the matter. He said that it would cost from \$1350.00 to \$1800.00 extra to lower the grade further than as proposed.

Joseph Housher, who had protested previously, spoke again.

The Engineer reported further on development of property on the downhill and uphill sides. He said that the proposed new road, based on plans as made, would be quite a bit below the present grade. He went over details as shown on the plans which he spread out for the Council to see.

Councilman Godfrey spoke of the possibility of sloping the street, and felt that would some effect upon improving conditions on the lower side.

Mr. Housher, and two women who did not identify themselves but who had been heard at the December 11 hearing, said that they are not satisfied with the Engineer's proposed grade.

The Engineer said that no storm drains are being provided, inasmuch as the street will drain into Oliphant Street.

A round table discussion followed, participated in by the Council, City Engineer and 5 protesting property owners (the 3 mentioned previously and 2 more) over the maps.

Representatives from the Engineer's office came into the meeting, and told of their interviews with the property owners, not all of whom had been reached.

Councilman Schneider said that 4 property owners on the low side of the street are willing to assume the cost of the added \$1800.00 for the lowered grade.

The Engineer said that if the grade is to be changed, the project should be abandoned and re-submitted on the revised grade. He said that there would be some delay.

Councilman Schneider asked for a delay to permit agreements on the part of the owners on the lower side to assume the extra cost of lowering the grade.

Councilman Dail wanted to attempt to work out the problem without too much delay, and told of a similar situation in his district where the work was help up in order to make a change. He said that although the work was delayed for 8 months, and the project re-engineered, the affected property owners were still not satisfied.

The Mayor suggested a brief delay in the proceedings to determine exactly what shall be done.

Councilman Godfrey spoke again for tilting the street, to accomplish what he thought would be a happy solution.

The Engineer said that as much tile has been provided as can be done under good engineering practice.

Mr. Gabrielson, from the City Engineer's office spoke of his having gone out with Mr. Wherry of the same office on the site, and said that the grade has already been lowered one foot.

The Engineer suggested that letters be sent to each of the property owners with copy of plans and grade elevation, for a reply by each by post card as to desires in the matter.

Councilman Wincote moved to continue the hearing one week, at which time the hearing would be continued an additional week.

Mr. Gabriel told again of interviews and agreements made verbally by property owners.

Councilman Schneider seconded Councilman Wincote's motion.

RESOLUTION NO. 104845, recorded on Microfilm Roll No. 45, continuing the hearing under Resolution No. 104353 of Preliminary Determination for the improvement of Tustin Street, within the limits and as particularly described in said Resolution, until the hour of 10:00 o'clock A.M., of Wednesday, January 2, 1952, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted (with verbal agreement on the part of members of the Council that it is to be continued again until January 8, 1952)

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 104447 for the paving and otherwise improving of the Alley in Block 20 City Heights, within the limits and as particularly described in said Resolution, the Clerk reported that a written protest had been received from Mrs. Althea Miller, which protest was presented to the Council.

Mrs. Miller spoke regarding her inability to pay the assessment.

The Mayor replied that financial inability of an individual to pay the assessment cannot be considered by the Council as a reason for abandonment of the work upon which a majority of the property owners have signed petitions.

RESOLUTION NO. 104846, recorded on Microfilm Roll No. 45, overruling and denying protest of Mrs. Althea Miller against the work of improving the Alley in Block 20 City Heights, within the limits and as particularly described in Resolution of Intention No. 104447, overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

The City Engineer, asked about the time when the work would be completed and assessment levied, he replied about 9 months. That information was given to Mrs. Miller together with the assurance that the assessment, which would be on an area district basis, would be a small one.

On motion of Councilman Schneider, seconded by Councilman Swan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 104448 for the paving and otherwise improving of Myrtle Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that written protest had been received from G. L. Hoopes and J. H. Middlewart, which protest was presented to the Council and read.

Mr. Hoopes told the Council that no one who had signed the petition is now an owner. He said that the paving would be of no use.

Mr. Middlewart spoke in protest.

Councilman Kerrigan moved to continue the hearing one week for an investigation on the present owners who might be in favor of the work.

The City Engineer, checking the property owned by the protestants, recommended abandonment of the project.

RESOLUTION NO. 104847, recorded on Microfilm Roll No. 45, sustaining protests against the work of improving of Myrtle Avenue, within the limits and as particularly described in Resolution of Intention No. 104448, abandoning proceedings therefor, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 104449 for the paving and otherwise improving of Playa del Norte Street and Neptune Place, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Schneider, seconded by Councilman Swan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

Councilman Wincote was excused from the meeting.

L. Hilt
Claim of Shirley, 231 West Beech Street, San Diego, in the sum of \$91.27, for damage to vehicle by broken water main, was presented.

RESOLUTION NO. 104848, recorded on Microfilm Roll No. 45, referring claim of Shirley J. Hilt to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Claim of James P. Ballow, 324 - 25th Street, San Diego 2, in the sum of \$55.00, for damage to automobile by a Police car, was presented.

RESOLUTION NO. 104849, recorded on Microfilm Roll No. 45, claim of James P. Ballow was referred to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the Harbor Department, signed by the Port Director, submitting Resolutions amending two Tidelands leases, with:

San Diego Marine Construction Co., modifying area at foot of Sampson Street - releasing 45,000 square feet to the City, and agreeing to relocate the fence to permit improvement of Belt Street, at lessee's expense;

American Airlines, Inc., for enlargement of its area in Lindbergh Field Administration Building;

were submitted.

RESOLUTION NO. 104850, recorded on Microfilm Roll No. 45, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 1 between The City of San Diego and San Diego Marine Construction Company; directing the City Clerk to cause certified copies of this resolution to be attached to the original and duplicate original of said Agreement for Amendment of Tideland Lease, Amendment No. 1, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104851, recorded on Microfilm Roll No. 45, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 2 between The City of San Diego and American Airlines, Inc.; directing the City Clerk to cause certified copies of this resolution to be attached to the original and duplicate original of said Agreement for Amendment of Tideland Lease, Amendment No. 2, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for Chain Link Fence, Galvanized Pipe & Fittings, and Fence Hardware for the Park & Recreation Department as per specifications on file in the office of the City Clerk bearing Document No. 442753, was presented.

RESOLUTION NO. 104852, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Chain Link Fence, Galvanized Pipe & Fittings, and Fence Hardware, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for 24 Standard Municipal Fire Alarm Boxes for the Fire Department as per specifications on file in the office of the City Clerk bearing Document No. 442756, was presented.

RESOLUTION NO. 104853, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 24

Standard Municipal Fire Alarm Boxes, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104854, recorded on Microfilm Roll No. 45, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the painting of three hangars in the non-scheduled flight area, Lindbergh Field, bearing official Document No. 442759; authorizing and directing the Purchasing Agent to proceed to publish notice calling for bids for the work in accordance with plans and specifications bearing Document No. 442759, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104855, recorded on Microfilm Roll No. 45, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of sewer replacement and connections from Crown Point Pumping Station Northeasterly to Pendleton Street, bearing official Document No. 442761; authorizing and directing the Purchasing Agent to proceed to publish notice calling for bids for the work in accordance with plans and specifications, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104856, recorded on Microfilm Roll No. 45, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of a sewer from La Jolla Country Club Heights to Dellcrest Lane, bearing Official Document No. 442763; authorizing and directing the Purchasing Agent to proceed to publish notice calling for bids for the work in accordance with plans and specifications, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104857, recorded on Microfilm Roll No. 45, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for the resurfacing of (1) National Avenue from 12th Street to 26th Street and also Main Street from Sigsbee Street to 28th Street; (2) 47th Street from Federal Boulevard to approximately 2000' south of the south line of Logan Avenue, including shoulders, bearing Official Document No. 442765; authorizing and directing the Purchasing Agent to proceed to publish notice calling for bids for the work in accordance with plans and specifications, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104858, recorded on Microfilm Roll No. 45, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of a storm drain in Una Street and Cottonwood Street and in Block B Arlington; bearing Official Document No. 442767; authorizing and directing the Purchasing Agent to proceed to publish notice calling for bids for the work in accordance with plans and specifications, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for approximately 700 tons Liquid Sodium Silicate for the Water Department as per specifications on file in the office of the City Clerk bearing Document No. 442770, was presented.

RESOLUTION NO. 104859, recorded on Microfilm Roll No. 45, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately 700 tons Liquid Sodium Silicate in accordance with specifications, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing and installing traffic signals at Federal Boulevard and Market Street, recommending award to California Electric Works, the low bidder - there were two bidders - was presented.

RESOLUTION NO. 104860, recorded on Microfilm Roll No. 45, accepting bid of California Electric Works for furnishing and installing traffic signals at Federal Boulevard and Market Street, awarding contract therefor and instructing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing lime for water purification, recommending award to Oro Grande Lime & Stone Corporation, lower bid on its alternate bid - there were two bidders - was presented.

RESOLUTION NO. 104861, recorded on Microfilm Roll No. 45, accepting bid of Oro Grande Lime & Stone Corporation to furnish lime for water purification for a six month period beginning January, 1952, awarding contract therefor and instructing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager announcing appointment of 5 members to Social Welfare Commission, pursuant to Section 61 (a) of the City Charter: Dr. Myron Insko, Executive Director, Goodwill Industries; Mrs. Frank Heilman, 1728 W. Lewis Street; Mrs. G. D. Edwards, President, San Diego Parent-Teachers' Assn.; Mr. Charles E. Dibb, 1707 33rd Street; Dr. Herbert Peiffer, San Diego State College; was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was ordered filed.

Application of Romeo Joseph Beaudin, Route 1 Box 847 Spring Valley, for Class A dine & dance license at PIG'N Whistle, 1041 - 4th Avenue, was presented, together with recommendations of affected departments for granting. Also presented was application for operation of a cabaret at the same address by the same applicant.

RESOLUTION NO. 104862, recorded on Microfilm Roll No. 45, granting application of Romeo Joseph Beaudin, Route 1 Box 847 Spring Valley, for a Class "A" license to conduct public dance at Pig'n Whistle, 1041 - 4th Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104863, recorded on Microfilm Roll No. 45, granting permission to Romeo Joseph Beaudin, to conduct cabaret with paid entertainment at Pig'n Whistle, where liquor is sold, subject to regular license fee and to compliance with existing regulations, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 5 sections of the subdivision ordinance in connection with the Tentative Map of Don Diego Manor Unit No. 1, was presented.

RESOLUTION NO. 104864, recorded on Microfilm Roll No. 45, suspending Sections 3E5, 3J6, 4A8 & 6, 5C of the subdivision ordinance in connection with the Tentative Map of Don Diego Manor Unit No. 1, and as they relate to the Final Map thereof, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Don Diego Manor Unit No. 1, subdivision of a parcel of land lying south of Furlow Heights Unit No. 1 and westerly of 54th Street, subject to 10 conditions, was presented.

RESOLUTION NO. 104865, recorded on Microfilm Roll No. 45, approving Tentative Map of Don Diego Manor Unit No. 1, subject to conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 7 sections of the subdivision ordinance in connection with the Tentative Map of Vista Bahia, was presented.

RESOLUTION NO. 104866, recorded on Microfilm Roll No. 45, suspending Sections 3E5, 3I2, 3I1, 3J6, 4A8 and 6, 5C of the subdivision ordinance in connection with the Tentative Map of Vista Bahia, and as they relate to the Final Map thereof, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Vista Bahia, a subdivision of Lots 3 to 6 and Block C and portion of Block 7 Morena, into 44 lots, lying easterly of Morena at Edison Street, subject to 10 conditions, was presented.

RESOLUTION NO. 104867, recorded on Microfilm Roll No. 45, approving Tentative Map of Vista Bahia, subject to conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Ed Fletcher Company, signed by Ed Fletcher, Pres., offering to the City of San Diego a complete survey, showing location, cut and fill from Sutherland Dam to the San Vicente Watershed - its headwater and from there to diverting dam on San Diego River, made by W. S. Post, at no charge to the City, was presented.

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

Communication from Radio Station KCBQ, signed by Charles E. Salik, President, requesting the Council to adopt a Resolution as a restatement of its previously-adopted Resolution to the Federal Communications Commission regarding television allocations for the City of San Diego, and setting out detailed reasons therefor, was presented and read to the Council.

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

Communication from San Diego Branch, World League for Dog Welfare, Inc., now known as California SPCA, Inc., signed by Mrs. E. H. Dowell, relative to enforced vaccination of dogs against rabies, was presented - together with communications from Mr. and

Mrs. E. J. Ruffel, Mrs. K. F. Raub, Mrs. Chas. V. Reid, Ray W. Dougherty, Mrs. Virginia R. Pitts, Mr. & Mrs. K. F. Raub, Lillian Rozelle, James T. and Francis Ford, all on the same subject.

Mrs. Dowell spoke to the Council about the danger which would result from the ordinance, and asked what protection has been provided to owners, and about the bonding of veterinarians who would go into business as a result of the ordinance.

No answer was given to Mrs. Dowell, and the matter was not discussed by members of the Council.

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

RESOLUTION NO. 104868, recorded on Microfilm Roll No. 45, directing notice of filing of the Street Superintendent's Assessment No. 2044 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Venice Street, Brighton Avenue, and the Northeasterly and Southwesterly Alley in Block 91 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 101051, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 104869, recorded on Microfilm Roll No. 45, accepting bid of V. R. Dennis, an individual doing business under the firm name and style of V. R. Dennis Construction Company, and awarding contract, for the installation of sewers in Balboa Avenue, Pasadena Street, Albuquerque Street, De Soto Street, Del Rey Street, Santa Fe Street, Pacific Highway and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 104055, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

A written report from the City Engineer stated that the low bid - there were 4 bidders - was 8.3% below the estimate.

RESOLUTION NO. 104870, recorded on Microfilm Roll No. 45, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 20 Fairmount Addition to City Heights, also approving plat No. 2294 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, directing the City Clerk to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104871, recorded on Microfilm Roll No. 45, approving plans, drawings, typical cross-sections, profiles and specifications, for the paving and otherwise improving of the Alley in Block 6 Mountain View, also approving plat showing the exterior boundaries of the district to be included in the assessment for the work and improvement, directing the City Clerk to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104872, recorded on Microfilm Roll No. 45, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block F Referee's Partition Map of East One-Half of Pueblo Lot 1110, also approving plat No. 2305 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, directing the City Clerk to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104873, recorded on Microfilm Roll No. 45, approving plans, drawings, typical cross-sections profiles and specifications for the installation of street light standards and appurtenances in Montezuma Road, Mary Lane Drive, Dorothy Drive, 63rd Street, also approving plat No. 2297 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, directing the City Clerk to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104874, recorded on Microfilm Roll No. 45, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Reed Avenue and Mission Boulevard, also approving plat No. 2298 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, directing the City Clerk to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104875, recorded on Microfilm Roll No. 45, approving plans, drawings, typical cross-sections profiles and specifications for the paving and otherwise improving of Rex Avenue, Shiloh Road, Wightman Street, and Public Rights of Way, also approving Plat No. 2290 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, directing the City Clerk to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104876, recorded on Microfilm Roll No. 45, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Adams Avenue Lighting District No. 1, for a period of one year from and including October 13, 1951, to and including October 12, 1952, in accordance with plans and specifications contained in the Engineer's Report and Assessment filed November 2, 1951 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104877, recorded on Microfilm Roll No. 45, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Midway Drive Lighting District No. 1, for a period of one year from and including October 1, 1951, to and including September 30, 1952, in accordance with plans and specifications contained in the Engineer's Report and Assessment filed in the office of the City Clerk on November 2, 1951, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104878, recorded on Microfilm Roll No. 45, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Roseville Lighting District No. 1, for a period of one year from and including October 15, 1951, to and including October 14, 1952, in accordance with plans and specifications contained in the Engineer's Report and Assessment Filed November 2, 1951 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104879, recorded on Microfilm Roll No. 45, for the paving and otherwise improving of the Alley in Block 20 Fairmount Addition to City Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104880, recorded on Microfilm Roll No. 45, for the paving and otherwise improving of the Alley in Block 6 Mountain View, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104881, recorded on Microfilm Roll No. 45, for the paving and otherwise improving of the Alley in Block F Referee's Partition Map of East One-half of Pueblo Lot 1110, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104882, recorded on Microfilm Roll No. 45, for installation of street light standards, etc., in Montezuma Road, Mary Lane Drive, Dorothy Drive, Rockford Drive and 63rd Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104883, recorded on Microfilm Roll No. 45, for the paving and otherwise improving of Reed Avenue and Mission Boulevard, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 104884, recorded on Microfilm Roll No. 45, for the paving and otherwise improving of Rex Avenue, Shiloh Road, Wightman Street, Public Rights of Way in Lots 9 and 10 Block 3 Berkeley Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 104885, recorded on Microfilm Roll No. 45, for the furnishing of electric current for the lighting of the ornamental street lights located in Sunset Cliffs Lighting District Number One, for a period of one year from and including January 15, 1952, to and including January 14, 1953, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104886, recorded on Microfilm Roll No. 45, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 67

Point Loma Heights, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104887, recorded on Microfilm Roll No. 45, ascertaining and declaring the wage scale for the paving and otherwise improving of Pynchon Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104888, recorded on Microfilm Roll No. 45, ascertaining and declaring the wage scale for the paving and otherwise improving of Quimby Street and Plum Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104889, recorded on Microfilm Roll No. 45, ascertaining and declaring the wage scale for the paving and otherwise improving of Savoy Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104890, recorded on Microfilm Roll No. 45, ascertaining and declaring the wage scale for the paving and otherwise improving of 66th Street, Madera Street, Brooklyn Avenue, Wunderlin Avenue, Broadway, Bittern Street, Akins Avenue and Evelyn Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104891, recorded on Microfilm Roll No. 45, rescinding Resolution No. 89151 relative to the closing of portions of Linwood Street, and abandoning subsequent proceedings, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104892, recorded on Microfilm Roll No. 45, declaring the bid of M. H. Golden Construction Company for construction of Morena Boulevard Camino Del Rio Overcrossing to be the lowest responsible and reliable bid (\$196,575.00), awarding contract therefor, authorizing and empowering the City Manager to execute a contract with said Company for construction of said overcrossing upon execution by the company of the contract and upon execution, delivery, filing and approval of bonds required thereunder, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104893, recorded on Microfilm Roll No. 45, granting request of Walter H. Barber, dated December 11, 1951, and recommendation of the City Engineer approved by the City Manager, contained in Document No. 442791 on file in the office of the City Clerk, of 30 days to and including December 10, 1951, in which to complete contract for installation of water service line, backflow protection unit, at Sewage Treatment Plant, which contract is contained in Document No. 437784 on file in the office of the City Clerk; waiving provisions of the specifications with respect to liquidated damages until termination of contract period as extended, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104894, recorded on Microfilm Roll No. 45, approving change order No. 2, dated December 5, 1951, heretofore filed with the City Clerk as Document No. 442793, issued in connection with the contract between the City of San Diego and Charles J. Dorfman for construction of the Ocean Beach Storm Drain, contract contained in Document No. 429250 on file in the office of the City Clerk, changes amounting to decrease in contract price of approximately \$1459.65, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104895, recorded on Microfilm Roll No. 45, granting request of Ets-Hokin & Galvan, contained in change order No. 1, dated December 11, 1951, for extension of time of 30 days to and including January 15, 1952, heretofore filed with the City Clerk as Document No. 442795 in which to complete contract for installation of traffic signals and safety lights on Broadway at the intersections of Kettner Boulevard, State Street, 1st Avenue and 12th Avenue, contract contained in Document No. 438872 on file in the office of the City Clerk, completion extended to January 15, 1952, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104896, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to do all the work in connection with installation of 32 lineal feet of 30-inch concrete pipe in drainage channel crossing Lots 6, 7 and 8 Block 2 Hollywood Station, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work and has indicated that the same can be done by City forces more economically than if let by contract.

RESOLUTION NO. 104897, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to do all the work in connection with construction of extension to the City storm drain near the southeast corner of University Avenue and Nile Street for a distance of approximately 72 feet on Lot 4 Block 193 City Heights, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 104898, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to do all the work in connection with construction of a 24-inch concrete pipe drain (D-2500 pipe strength), 100 feet long, in Yonge Street southeasterly from Locust Street, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 104899, recorded on Microfilm Roll No. 45, granting permission to Emma C. Young, 4694 Voltaire Street, to extend and widen driveway on the easterly side of Ebers Street north of Voltaire Street, for a distance of ten feet, the width of the driveway when widened to be 44 feet as measured at the top of the full height curb adjacent to Lot 1 Block 17 Ocean Beach Park, to facilitate exit from service station at Ebers and Voltaire Streets, in accordance with all rules, regulations and ordinances of The City of San Diego governing the same, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104900, recorded on Microfilm Roll No. 45, granting permission to Vernon E. Taylor, 735 Garnet Street, to install a 4-inch cast iron sewer line between the property line and the sidewalk, to be placed 12 feet outside the property line and run in a northerly direction parallel to the easterly line of Lot 21 Block 256 Pacific Beach, to a point of intersection with public sewer, to serve property at 1178 Thomas Avenue, subject to approval of the San Diego Health Department and of the City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104901, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to enter into contract with O. D. Arnold and Ethel Arnold, husband and wife, subdividers of Westwood Hills Unit No. 5, providing for installation of water mains and appurtenant structures and for reimbursement by The City of \$705.00 for difference in cost between water mains and appurtenant structures required to be installed in subdivision and larger size mains and appurtenant structures required by the City, upon execution and delivery of a quitclaim deed conveying to the City all right, title and interest of the subdividers in and to all water mains and appurtenant structures constructed on public streets, rights of way, highways and public places, either within or without the subdivision; authorizing the City Auditor and Comptroller to issue a warrant in the sum of \$705.00 payable to O. D. Arnold and Ethel Arnold, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104902, recorded on Microfilm Roll No. 45, accepting quitclaim deed executed by O. D. Arnold and Ethel Arnold on the 11th day of December, 1951, quitclaiming all water mains and appurtenant structures constructed for its use, located on public streets, rights of way, highways and public places, either within or without the subdivision named Westwood Hills Unit No. 5; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104903, recorded on Microfilm Roll No. 45, authorizing and empowering the City Manager to enter into contract with Josephine King, subdivider of El Cerrito Terrace Unit No. 1, providing for installation of larger size water mains and appurtenant structures and for payment to the City by the subdivider of \$705.52 for the difference in cost between the City's contribution and the value of the pipe furnished in connection with the installation of the pipe, the City's total net contribution to the project being \$1958.82, provided that the contract shall be executed upon execution and delivery to the City of a quitclaim deed quitclaiming to the City all right, title and interest of the subdivider in and to all water mains and appurtenant structures constructed on public streets, rights of way, highways and public places, either within or without El Cerrito Terrace Unit No. 1, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 104904, recorded on Microfilm Roll No. 45, accepting quitclaim deed executed by Josephine King on the 7th day of December, 1951, quitclaiming

all water mains and appurtenant structures constructed on public streets, rights of way, highways and public places, either within or without El Cerrito Terrace Unit No. 1; authorizing and directing the City Clerk to file said deed, together with certified copy of said resolution, for record in the office of the County Recorder, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

The proposed Ordinance providing for police regulation and supervision of certain activities of brokers and other persons who sell passenger space on airplanes in The City of San Diego, and making it illegal to make certain representations in the course of such activities, providing a penalty for the violation of the ordinance, was presented to the Council for adoption - it had been placed on its first reading on December 20, 1951 - the Mayor pointed out that Councilman Wincote had been excused from the meeting and he suggested that it be held over. The Mayor said that the proposed Ordinance had received only 4 votes on the first reading, Councilman Wincote being one of the 4, and that if the roll were called at this time the passage might fail for lack of the 4th vote.

Councilman Kerrigan moved to continue the matter on the agenda for the meeting of January 2, 1952, which motion was seconded by Councilman Godfrey.

There was discussion on the motion before the roll was called. Councilman Swan said it did not necessarily indicate by former action that the same 3 would vote against the ordinance. He thought the Council might as well vote.

As a result of the discussion, Councilman Kerrigan withdrew his motion.

Councilman Godfrey then moved to postpone action on the proposed ordinance until January 2, 1952, which motion was seconded by Councilman Schneider. The roll was called on that motion, all 6 members present voting in favor of the postponement.

The proposed Ordinance incorporating portions of Lots 33 and 34 of Lemon Villa into "R-2" Zone and repealing Ordinance No. 184 (New Series) adopted March 20, 1933, insofar as the same conflicts, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., on Tuesday, January 8, 1952.

The proposed Ordinance incorporating Lots 13 to 17 Block 3, Lots 8 to 12 Block 6 Ocean View into "R-2" Zone, repealing Ordinance No. 12793 approved April 14, 1930 insofar as the same conflicts, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., on Tuesday, January 8, 1952.

The proposed Ordinance incorporating Lots A to F Block 231 Horton's Addition into "R-4" Zone, and repealing Ordinance No. 3037 (New Series) adopted July 17, 1945, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., on Tuesday, January 8, 1952.

ORDINANCE NO. 5027 (New Series), recorded on Microfilm Roll No. 45, establishing the grade of Archer Street and Van Nuys Street - Archer between the westerly and easterly lines of La Jolla Mesa Drive - Van Nuys between the westerly and easterly lines of La Jolla Mesa Drive - was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

The Acting City Manager requested, and was granted, unanimous consent to present the following matters not listed on the agenda - each of which he explained to the Council as it was introduced:

RESOLUTION NO. 104905, recorded on Microfilm Roll No. 45, accepting the automatic player for the Cathedral chimes presented to The City by Dr. Frank M. Lowe, Jr. as a memorial honoring his mother (the Maas Cathedral Chimes were presented on Christmas Day, 1946) and expressing thanks to Dr. Lowe; directing that daily recitals be provided through use of the automatic player under all normal conditions and that the music library for the chimes be properly housed and replenished by The City of San Diego; authorizing and directing the City Clerk to forward to Dr. Frank M. Lowe, Jr. a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104906, recorded on Microfilm Roll No. 45, authorizing and directing the Mayor, City Manager and City Attorney to attend and represent The City of San Diego, and aid and assist representatives of the San Diego County Water Authority in any further negotiations with respect to the proposed Supplemental Agreement No. 4 between the United States and San Diego County Water Authority (Contract NOy-13300), with respect to construction of that portion of the second aqueduct lying northerly of Station 1702+80 Y & D Drawing No. 386014, to provide further capacity to that section of the line, in order that the Metropolitan Water District may serve water to Camp Pendleton and other areas of land in Southern California, and to incur any necessary expense in connection with the attendance at said conference irrespective of whether conferences are held in Washington, D.C., Los Angeles, or San Diego, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Said Resolution states that the Council feels that the San Diego County Water Authority, and The City of San Diego in particular, should be protected to the extent that any contract made will insure the said Authority in receiving its full supply of at least 112,000 acre feet of water per year, and that representatives of the Authority and The City should be present at any conferences wherein any such negotiations are carried on.

ORDINANCE NO. 5028 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$3000.00 from the Unappropriated Balance Fund, for the purpose of providing funds to cover the cost of title reports and title insurance policies, more particularly set forth in said Ordinance, issued by the Union Title Insurance and Trust Company in condemnation, quiet title and Mean High Tide Line cases, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

At this time Councilman Schneider moved to adjourn the meeting, and not reconvene until Wednesday, January 2, 1952.

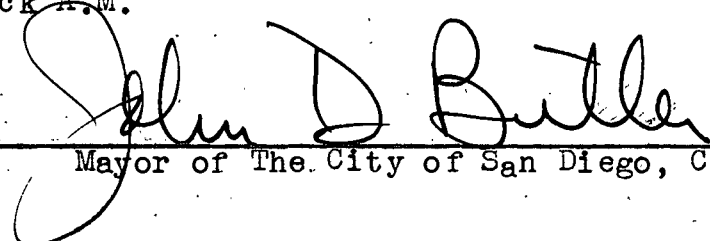
The Clerk pointed out that 8 hearings had previously been set for the meeting which would normally be held on Thursday, December 27, 1951.

Members of the Council said that they had agreed among themselves not to meet on December 27, before checking with the City Clerk's office on matters set for hearing, and asked the Clerk to notify persons interested in matters set down for hearing, and inform them that they would be heard on Wednesday January 2, 1952 at the hour of 9:45 o'clock A.M., instead of at 10:00 o'clock A.M., on Thursday, December 27, 1951.

The Clerk said he would endeavor to notify those persons, and that he would do so where possible.

RESOLUTION NO. 104907, recorded on Microfilm Roll No. 45, directing the City Clerk to notify all appellants in connection with hearings set for the hour of 10:00 o'clock A.M., Thursday, December 27, 1951, that said hearings have been postponed until the hour of 9:45 o'clock A.M., Wednesday, January 2, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Kerrigan, at the hour of 11:15 o'clock A.M.



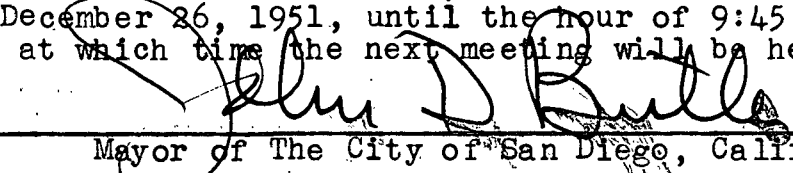
 Mayor of The City of San Diego, California

ATTEST:
 FRED W. SICK, City Clerk

By _____
 Deputy

THURSDAY, DECEMBER 27, 1951
 Chamber of the Council of The City of
 San Diego, California

Mayor Butler appeared in the Council Chamber at the hour of 10:00 o'clock A.M., and announced that no meeting would be held this date, and that all matters scheduled for this time had been continued on December 26, 1951, until the hour of 9:45 o'clock A.M., of Wednesday, January 2, 1952, at which time the next meeting will be held.



 Mayor of The City of San Diego, California

ATTEST:
 FRED W. SICK, City Clerk

By _____
 Deputy

ADJOURNED REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Wednesday, January 2nd,
1952.

An Adjourned Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:00 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler.

Absent----None

Clerk-----Fred W. Sick

As no meeting was held on Thursday, December 27th, 1951, due to lack of a quorum, the complete calendar of business scheduled for that meeting was presented at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on a proposed Ordinance Incorporating all of Block 16, Hollywood Park, and portion of Pueblo Lot 1784, into an "R-2" Zone; and repealing a conflicting Ordinance, the Mayor inquired if any interested persons were present who desired to be heard.

No protests, oral or written, were received.

All interested persons having been heard, ORDINANCE NO. 5029 (New Series) recorded on Microfilm Roll No. 46, incorporating all of Block 16, Hollywood Park, and a portion of Pueblo Lot 1784 in The City of San Diego, California, into an "R-2" Zone as defined by Ordinance No. 8924 of the Ordinances of said City and amendments thereto; and repealing Ordinance No. 119 (New Series) adopted January 3, 1933, insofar as the same conflicts therewith, was on motion of Councilman Kerrigan, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Godfrey, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on a proposed Ordinance Incorporating the N. W. 1/4 of Lot 28, Ex-Mission Lands of San Diego into an "R-2" Zone; and repealing a conflicting Ordinance, the Mayor inquired if any interested persons were present who desired to be heard.

No protests, oral or written, were received.

All interested persons having been heard, ORDINANCE NO. 5030 (New Series) recorded on Microfilm Roll No. 46, incorporating the N. W. 1/4 Lot 28 Ex-Mission Lands of San Diego, in the City of San Diego, California, into an "R-2" Zone as defined by Ordinance No. 8924 of the Ordinances of said City and Amendments thereto; and repealing Ordinance No. 35 (New Series), adopted September 12, 1932, insofar as the same conflicts therewith, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on a proposed Ordinance Incorporating a portion of Lot 53, Ex-Mission Lands of San Diego and a portion of Lot 1, Las Alturas Villa Sites, into "R-4", "CP" and "C" Zones, as defined by Ordinance No. 8924 of the Ordinances of said City; and repealing a conflicting Ordinance, the Mayor inquired if any interested persons were present who desired to be heard.

No protests, oral or written, were received.

All interested persons having been heard, ORDINANCE NO. 5031, (New Series) recorded on Microfilm Roll No. 46, incorporating a portion of Lot 53, Ex-Mission Lands of San Diego and a portion of Lot 1, Las Alturas Villa Sites, in the City of San Diego, California, into "R-4", "CP" and "C" Zones, as defined by Ordinance No. 8924 of the Ordinances of said City and amendments thereto; and repealing Ordinance No. 116 (New Series) adopted January 3, 1933, insofar as the same conflicts therewith, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of William M. Brooks from the decision of the Zoning Committee denying him permission to construct a free standing sign approximately 6' by 12', on Block B, Bird Rock Villas, at 5390 La Jolla Boulevard, in Zone R-4, all papers in connection with the matter were presented.

A note attached to the appeal stated that William H. Brooks would not be in attendance at to-day's meeting.

RESOLUTION NO. 104908, recorded on Microfilm Roll No. 46, continuing the hearing on the appeal of William M. Brooks until 10:00 o'clock A.M., on Tuesday, January 8th, 1952, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Walter and Jean M. Levandowski from decision of the Zoning Committee denying permission to construct a single family residence on portion of Lot 3, Rosemont Addition to Encanto Heights, legal description on file in the Planning Office, as Scimitar Drive approximately 200 feet Westerly of Broadway Avenue on the northerly side, in Zone R-2, all papers in connection with the matter were presented.

The City Clerk read a report from the Senior Planning Technician on the subject was read.

All interested persons were heard.

Thereupon, RESOLUTION NO. 104909, recorded on Microfilm Roll No. 46, overruling the decision of the Zoning Committee, and granting the appeal of Walter and Jean M. Levandowski; and granting permission for the construction of a single family residence on the Southerly 120 feet, approximately, (measured on the westerly lot line) of Lot 3, except the Easterly 20 feet thereof, according to legal description on file in the office of the City Planning Commission, on condition that this entire parcel, approximately 85 feet by 120 feet in dimension, be held and used as a single parcel of land, and that an agreement to that effect be signed by the owners and filed of record; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of North San Diego Development Company, Incorporated, from decision of the Zoning Committee denying permission to erect a commercial warehouse of approximately 48,000 square feet in area, to be located on the west center section of the property, being approximately the East half of Lot 5, Eureka Lemon Tract, lying East of a line approximately 570 feet East of Pacific Highway and West of the Atchison, Topeka and Santa Fe Railway, and approximately 540 feet south of Balboa Avenue, in Zone R-4, all papers in connection with the matter were presented.

A representative of the North San Diego Development Company, Incorporated, spoke. All interested persons having been heard, RESOLUTION NO. 104910, recorded on Microfilm Roll No. 46, continuing the hearing on this appeal until 10:00 o'clock A.M. on Thursday, January 10, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Clinton P. and Stachia V. Richards from conditions in connection with the construction of a multiple dwelling with a 3-foot setback on College Avenue, on portion of Lot 65 and portion of Lot 66 lying Westerly of College Avenue, Gilcher Tract, at the corner of College Way, in Zone R-4; The conditions calling for one off-street parking space for each living unit on the property; all papers in connection with the matter were presented.

The City Clerk read a report from the Senior Planning Technician on the subject.

A motion to continue the hearing to January 10th, 1952, was made by Councilman Kerrigan, but later withdrawn.

Glenn Rick, for the Planning Commission, orally explained the matter and showed a plat of the area.

Mr. Wilson Reed, representing Mr. Clinton P. Richards, spoke. He said the conditions imposed were unreasonable; stating that College Way is a dead end street with ample parking available in said street.

Mr. G. A. Person of 4551 College Way, protested against the appeal; also, against the proposed setback. He stated that this intersection was a traffic hazard.

Councilman Godfrey pointed out that no written appeal had been filed by Mr. G. A. Person. The Mayor ruled that there was no valid appeal against the setback granted by the Zoning Committee before the City Council. The City Attorney confirmed this ruling.

Mr. Clinton P. Richards explained his building plans to the Council. He stated that a building permit had been issued and a portion of the foundation forms are laid. The work was stopped due to setback violations, and hearings before the Zoning Committee subsequently occurred. He stated that the Zoning Committee would not allow the construction of garages in addition to the proposed residential structure, but insisted on reserving space for parking of automobiles. It was pointed out that ground-floor garages, with living quarters above, would be allowed.

All interested persons having been heard, RESOLUTION NO. 104911, recorded on Microfilm Roll No. 46, overruling the appeal of Clinton P. Richards and Stacia V. Richards from the decision of the Zoning Committee in conditionally granting by its Resolution No. 6064, variance to the provisions of Ordinance No. 12321, permission to construct a multiple dwelling building with a 3-foot setback on College Avenue, on portion of Lot 65 (except the Southerly 10 feet), and that portion of Lot 66 lying Westerly of College Avenue, Gilcher Tract, corner of College Avenue and College Way, in Zone R-4, on condition that one off-street parking space for each living unit be maintained on the property, but not within any required open space on the lot; not more than three parking spaces to be required for four living units, and subject to architectural approval as to appearance; sustaining said Zoning Committee decision; was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Councilman Wincote voted "Nay" on the motion.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Ben and Bertha Solomon from the decision of the Zoning Committee denying permission to construct a duplex with a 7 foot setback on West 75 feet of Lots 1, 2 and 3, Block 102, City Heights, at the southeast corner of Myrtle Avenue and 43rd Streets, in Zone R-4, all papers in connection with the matter were presented.

The City Clerk read the report from the Senior Planning Technician on the subject.

Mr. Ben Solomon spoke, relative to the setback required.

Glenn Rick explained the situation, representing the City Planning Commission.

The appeal was thoroughly discussed; the indications being that the re-

quired structures could be erected by re-arranging the plat plan, as the lot was of ample size to accomodate the proposed buildings.

Thereupon, RESOLUTION NO. 104912, recorded on Microfilm Roll No. 46, continuing the hearing until the meeting of Thursday, January 17th, 1952; and referring the matter back to the Zoning Committee for consideration and further report; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Claim of Edith C. Clayton, contained in Document NO. 442839, based on a traffic accident involving City-owned equipment at the intersection of Grape and 54th Streets on November 21, 1951, in the amount of \$20.00, was presented.

RESOLUTION NO. 104913, recorded on Microfilm Roll No. 46, referring said claim to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104914, recorded on Microfilm Roll No. 46, approving the plans and specifications and the proposed wage scale for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the stuccoing of three buildings in the non-scheduled flight area, Lindbergh Field, San Diego, California; directing the Purchasing Agent to proceed to publish a notice to contractors calling for bids for said work, in accordance with plans and specifications contained in Document No. 442806, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Controller of the State of California relative to Motor Vehicle License Fee Apportionment to Cities and Counties; showing San Diego City's population as 334,387 with an apportionment of \$420,757.69; was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed.

Communication from Scott King appealing from the decision of the Planning Commission relative to request of The Travelodge Corporation for permission to erect a sign on the tidelands at the corner of Scott Street and Harbor Drive was presented.

Glenn Rick explained the matter as considered by the City Planning Commission; stating that the property involved was in an R-4 Zone, and was also located on City tidelands.

Port Director John Bate stated that the Harbor Commission was not opposed to the requested sign.

A representative of Scott King was present to present his views concerning the Travelodge sign.

All interested persons having been heard, RESOLUTION NO. 104915, recorded on Microfilm Roll No. 46, sustaining the appeal of The Travelodge Corporation, by Scott King, from the decision of the Planning Commission in denying application for permission to erect a sign on tidelands at the corner of Scott Street and Harbor Drive, 1480 Scott Street; overruling said Planning Commission decision; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communications opposing the new Dog Control Ordinance, and especially the provision for compulsory vaccination of dogs, were presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed.

Said communications were from Walter Smith, Oliver S. Abe, Beatrice Carr Abe, Elizabeth Agnew, Blanche A. Baque, Mrs. C. R. Diekmann, G. Diekmann, Mrs. David H. Wyatt, Celia Murphy, Beulah A. Moore, Anna Reutter, Joan Duffey, Gussie L. Bernathy, Clarence Z. Swallow, J. K. Mathikas Jr., W. H. Dickenson, Mrs. Marjory Bryant, William L. Brown, Vetriss I. Brown, Andrew T. Brown, Earl A. Breneman, J. W. Gattrell, O. B. Emminer and Mr. and Mrs. Sam Lord.

Communication from the Pacific Indemnity Company reporting on the claim of F. A. Fares; stating that this case was closed by payment of \$300.00 on December 7th, 1951; was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Michael A. Napolitano; stating that this case was closed by payment of \$837.34 on December 6th, 1951; was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, ordered filed.

Communication from the Pacific Indemnity Company reporting the closing, by cancellation, of the claim of Karl F. Jaeger, was presented.

RESOLUTION NO. 104916, recorded on Microfilm Roll No. 46, denying the claim of Karl F. Jaeger, 1925 K Street, filed under Document No. 437845, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104917, recorded on Microfilm Roll No. 46, accepting the deed of Louise Cowles Blodgett, executed in favor of The City of San Diego, conveying to said City Lots Forty-three and Forty-four, in Block Eight, of Bayside, according to Map thereof No. 453, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Thereupon, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Wincote, at the hour of 11:19 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By Clark M. Fudge Deputy.

John D. Butler
Mayor of The City of San Diego, California.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Wednesday, January 2nd, 1952

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 11:20 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler.

Absent----None.

Clerk-----Fred W. Sick.

The Minutes of the Regular Meetings of Wednesday, December 26, 1951, and of Thursday, December 27th, 1951, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Wincote, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing on Resolution of Preliminary Determination No. 104353 had been continued (from December 11, December 18, and December 26, 1951) on the paving and otherwise improving of Tustin Street, all papers in connection with the proceedings were presented.

RESOLUTION NO. 104918, recorded on Microfilm Roll No. 46, continuing until the hour of 10:00 o'clock A.M., of Tuesday, January 8th, 1952, the hearing on Resolution No. 104353 of Preliminary Determination for the improvement of Tustin Street, between the northeasterly line of Macaulay Street and the southwesterly line of Oliphant Street, within the limits and as particularly described in said Resolution of Preliminary Determination, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 104511, for the grading and sidewalking of Commonwealth Avenue, Laurel Street and Boundary Street, within the limits and as particularly described in said Resolution, the City Clerk reported that no written protests had been received.

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

No protests, written or oral, were made against the proposed work.

All interested persons having been heard, on motion of Councilman Schneider, seconded by Councilman Godfrey, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lamps located in Logan Avenue Lighting District No. 1, for a period of one year from and including November 16th, 1951, the City Clerk reported that no written protests had been received. No one appeared to be heard.

RESOLUTION NO. 104919, recorded on Microfilm Roll No. 46, confirming and adopting as a whole the Engineer's Report and Assessment for Logan Avenue Lighting District No. 1, filed in the office of the City Clerk November 23, 1951, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lamps located in Pacific Highway Lighting District No. 1, for a period of one year from and including November 5, 1951, the City Clerk reported that no written protests had been received. No one appeared to be heard.

RESOLUTION NO. 104920, recorded on Microfilm Roll No. 46, confirming and adopting as a whole the City Engineer's Report and Assessment for Pacific Highway Lighting District No. 1, filed in the office of the City Clerk November 23, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2042, made to cover the costs and expenses of the work of grading, paving and otherwise improving Gresham Street and Graham Street, under Resolution of Intention No. 101112, the City Clerk reported that written appeals had been received from F. D. Ullrich and from Clarence A. Felix; which appeals were read.

The City Engineer reported orally on the written appeals.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Mr. Clarence A. Felix and Mrs. Clarence A. Felix spoke in opposition to the assessment against their property, which does not face on the new paving.

All interested persons having been heard, RESOLUTION NO. 104921, recorded on Microfilm Roll No. 46, denying the appeal of F. D. Ullrich, filed under Document No. 442395, and the appeal of Mrs. Clarence A. Felix, filed under Document No. 443003, from the Street Superintendent's Assessment No. 2042 made to cover the costs and expenses of the work of grading, paving and otherwise improving of Gresham Street and Graham Street, under Resolution of Intention No. 101112; overruling and denying all other appeals; and confirming said Street Superintendent's Assessment No. 2042; authorizing and directing him to attach his warrant thereto and issue the same in the manner and form provided by law; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Ruth Alexander, 512 Colima Street, in the sum of \$500.00, for personal injuries when she stepped into a hole on the East side of Sixth Avenue, about 155 feet north of the north crosswalk of Spruce Street, was presented.

RESOLUTION NO. 104922, recorded on Microfilm Roll No. 46, referring the claim of Ruth Alexander to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Claim of H. E. Blumberg, 1072 Sixth Avenue, for damages to real property when a large water pipe broke in the street opposite his store at 1072 - Sixth Avenue, in the sum of \$28.54, was presented.

RESOLUTION NO. 104923, recorded on Microfilm Roll No. 46, referring the claim of H. E. Blumberg to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Claim of Mrs. Grace M. Cronacher, 4477 - 50th Street, in the sum of \$25.00, for personal injuries when stepping into a broken water meter box at 5006 El Cajon Boulevard, was presented.

RESOLUTION NO. 104924, recorded on Microfilm Roll No. 46, referring the claim of Mrs. Grace M. Cronacher to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Claim of Wendell J. O'Bryant, 3124 Canon Street, in the sum of \$169.60, for damage to his Chevrolet Sedan by a San Diego City Police Car, was presented.

RESOLUTION NO. 104925, recorded on Microfilm Roll No. 46, referring the claim of Wendell J. O'Bryant to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Claim of Nancy J. Rice, 2125 Chatsworth Boulevard, in the sum of \$7.76, for replacement of glasses broken by a basketball at the Washington Playground, was presented.

RESOLUTION NO. 104926, recorded on Microfilm Roll No. 46, referring the claim of Nancy J. Rice to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Claim of The Pacific Telephone and Telegraph Company, 740 South Olive Street, Los Angeles, 55, California, in the estimated amount of \$250.00, for damage to 51-pair, 24-gauge lead covered cable by employees of Helmer Eden, Inc., doing contract work for the City of San Diego, was presented.

RESOLUTION NO. 104927, recorded on Microfilm Roll No. 46, referring the claim of The Pacific Telephone and Telegraph Company to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Harbor Department submitting for approval agreement for amendment of tideland lease, Amendment No. 1, with the Harbor Boat and Yacht Company, for conducting a business commonly known as a marine service station, etc., was presented.

RESOLUTION NO. 104928, recorded on Microfilm Roll No. 46, ratifying, confirming and approving an Agreement for Amendment of Tideland Lease between The City of San Diego and Harbor Boat and Yacht Company, a corporation; directing the City Clerk to cause certified copies of this Resolution to be attached to the original and duplicate original of said Agreement for Amendment of Tideland Lease contained in Document No. 442974, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, approved by the City Manager, recommending the advertising for bids for furnishing not less than seven nor more than thirteen radio transmitter-receivers, in accordance with specifications on file in the office of the City Clerk under Document No. 442976, was presented.

RESOLUTION NO. 104929, recorded on Microfilm Roll No. 46, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing not less than seven nor more than thirteen radio transmitter-receivers, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids received for furnishing gasoline for a period of twelve months beginning January 1, 1952, recommending award to Pathfinder Petroleum Company, the lowest of six bidders, was presented.

RESOLUTION NO. 104930, recorded on Microfilm Roll No. 46, accepting the bid of Pathfinder Petroleum Company to furnish gasoline for a period of 12 months beginning January 1, 1952, awarding contract therefor and instructing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 104931, recorded on Microfilm Roll No. 46, accepting the bid of E. Paul Ford, Jr., the lowest of seven bidders, for the improvement of Wabaska Drive, from West Point Loma Boulevard southerly for approximately 1600 feet, awarding contract therefor and instructing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission recommending suspension of five sections of the subdivision ordinance in connection with the Tentative Map of O. D. Arnold's Westwood Hills Unit No. 6, was presented.

By unanimous consent, at the request of Councilman Godfrey, a protest from a large number of property owners, contained in Document No. 443080, complaining of the slow work in finishing the paving of Mohawk Street, between 67th and 73rd Streets, was presented.

Mr. B. B. Porter, 7028 Mohawk Street, stated the contractors left the job torn up; and that the graded street has not been touched since last October.

After considerable discussion, on motion of Councilman Schneider, seconded by Councilman Wincote, the protest was referred to the City Manager.

RESOLUTION NO. 104932, recorded on Microfilm Roll No. 46, suspending sections of the subdivision Ordinance numbered 3E5, 3J8, 4A8 and 5C, in connection with the Tentative and Final Maps of O. D. Arnold's Westwood Hills Unit No. 6, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104933, recorded on Microfilm Roll No. 46, approving the Tentative Map of Westwood Hills Unit No. 6, a subdivision of a portion of Lot 15, Ex Mission Lands, lying northerly of Elm Street and the westerly line of Euclid Avenue, consisting of 27 lots, subject to ten conditions, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted; as recommended by the City Planning Commission under Document No. 442984.

Communication from the City Manager reporting on a number of communications relative to the new Dog Control Ordinance was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, this report was ordered filed; together with communications from James T. Ford, Francis Ford, Lillian Rozzelle, Mr. and Mrs. E. J. Ruppel, Mrs. K. F. Raub, Mrs. Chas. V. Reed, Ray W. Dougherty, Mrs. Virginia R. Pitts and Mr. and Mrs. K. F. Raub.

At this time a majority of the members of the Council signed:

Contract with the San Diego Gas & Electric Company for San Diego Lighting District No. 4.

Contract with the San Diego Gas & Electric Company for Five Points Lighting District No. 1

Contract with the San Diego Gas & Electric Company for University Avenue Lighting District No. 1.

Communication from the City Engineer approved by the Acting City Manager, recommending amending proceedings for paving the Alleys in Block 79, Pacific Beach, to include a portion of Law Street and installation of extra water main and a gate valve, was presented.

RESOLUTION NO. 104934, recorded on Microfilm Roll No. 46, authorizing the amending of proceedings for the improvement of the Alleys in Block 79, Pacific Beach, to include that portion of Law Street between the northerly prolongations of the easterly and westerly lines of the northerly and southerly alley in said Block 79; connecting the water main to the existing main in Law Street; and installing a gate valve; all as recommended by the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, approved by the City Manager, recommending that the proceedings for the improvement of Cabrillo Avenue and Olivet Street be extended from the center line of Pearl Street to the southeasterly prolongation of the northeasterly line of Ivanhoe Avenue east, was presented.

RESOLUTION NO. 104935, recorded on Microfilm Roll No. 46, directing that the proceedings for the improvement of Cabrillo Avenue and Olivet Street be extended from the center line of Pearl Street to the southeasterly prolongation of the northeasterly line of Ivanhoe Avenue east, as recommended by the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the Street Superintendent recommending that the petition for closing a portion of Mar Avenue, at Block 5, Center Addition, be denied; and that no consideration be given to said closing until the adjacent portion of Mar Avenue is improved, was presented. This recommendation was approved by the City Manager.

RESOLUTION NO. 104936, recorded on Microfilm Roll No. 46, denying the petition for the closing of a portion of Mar Avenue adjacent to Lots 55 and 56, Block 5, Center Addition, contained in Document No. 439375, as recommended by the Street Superintendent, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the San Diego Symphony Orchestra Association reporting on activities during the past fiscal year; toward which the City appropriated \$5,000; was presented.

Donald A. Stewart, President of the San Diego Symphony Orchestra Association, spoke. He presented a complete written report and financial Statements for the period from December 1, 1950 to November 30, 1951, contained in Document No. 443235. On motion of Councilman Schneider, seconded by Councilman Wincote, the report and financial statements were ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Chet Crook, advising that this case was closed by the payment of \$46.71 on December 21st, 1951, was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Edna M. and Perry A. Williams, advising that this case was closed by payment of \$150.00, on December 21st, 1951, was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, ordered filed.

RESOLUTION NO. 104937, recorded on Microfilm Roll No. 46, directing notice of filing of the Street Superintendent's Assessment No. 2045, made to cover the costs and expenses of the paving and otherwise improving of Dawes Street, Emerald Street, Everets Street and Felspar Street, within the limits and as particularly described in Resolution of Intention No. 101111, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution of Award No. 104938, recorded on Microfilm Roll No. 46, awarding to the San Diego Gas & Electric Company the contract for furnishing of electric current for Mission Beach Lighting District No. 2, for the period of one year from and including August 17, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 104939, recorded on Microfilm Roll No. 46, awarding to the San Diego Gas & Electric Company the contract for furnishing of electric current for Ocean Beach Lighting District No. 1, for the period of one year from and including August 14, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 104940, recorded on Microfilm Roll No. 46, awarding to the San Diego Gas & Electric Company the contract for the furnishing of electric current for Pacific Beach Lighting District No. 1, for the period of one year from and including September 1, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 104941, recorded on Microfilm Roll No. 46, for the paving and otherwise improving of the Alley in Block 20, City Heights, within the limits and as particularly described in said Resolution of Intention No. 104447, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 104942, recorded on Microfilm Roll No. 46, for the paving and otherwise improving of Playa Del Norte Street and Neptune Place, within the limits and as particularly described in Resolution of Intention No. 104449, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 104943, recorded on Microfilm Roll No. 46, for paving and otherwise improving of the Alley in Block 67, Point Loma Heights, between the southeasterly line of Santa Barbara Street and the westerly line of Venice Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 104944, recorded on Microfilm Roll No. 46, for the paving and otherwise improving of Pynchon Street, between Logan Avenue and Ocean View Boulevard, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 104945, recorded on Microfilm Roll No. 46, for the paving and otherwise improving of Quimby Street and Plum Street; the main work being on Quimby Street, between Willow Street and Plum Street, with a pipe culvert and appurtenances in Plum Street; within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 104946, recorded on Microfilm Roll No. 46, for the paving and otherwise improving of Savoy Street, between La Paloma Street and Varona Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 104947, recorded on Microfilm Roll No. 46, for the installation of sewer mains in 66th Street, Madera Street, Brooklyn Avenue, Wund-erlin Avenue, Broadway, Bittern Street, Akins Avenue and Evelyn Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104948, recorded on Microfilm Roll No. 46, authorizing the City Manager, for and on behalf of the City, to make application to the County Board of Supervisors for an option to purchase certain tax-deeded lands described as Lots 25 to 28, inclusive, Block 1, Cable Road Addition, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

A proposed Resolution authorizing a lease with La Jolla Town Council, Inc.

for the leasing of Lots 36 to 40, Block 32, La Jolla Park, improved, at an annual rental of \$100.00 plus a percentage rental, for five years; said property being valued at \$50,000.00; was presented.

RESOLUTION NO. 104949, recorded on Microfilm Roll No. 46, referring to Council Conference the matter of the proposed lease with La Jolla Town Council, Incorporated, for the leasing of Lots 36 to 40 inclusive, Block 32, La Jolla Park, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104950, recorded on Microfilm Roll No. 46, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted; authorizing and empowering the City Treasurer to destroy the following records in the office of said City Treasurer, which records are more than five years old, and have served their purpose, and are no longer required:

(1) All documents (stubs) evidencing the receipt of interest and/or principal payments upon 1911 Street Improvement Act assessments, dated prior to July 1, 1951.

(2) All 1911 Street Improvement Act bonds and coupons of series issued prior to January 1, 1930, and paid or cancelled prior to July 1, 1941.

(3) All sales tax returns, license applications, and copies of licenses issued, and other documents evidencing receipts and disbursements held in excess of five years from the date upon which the documents were issued.

RESOLUTION NO. 104951, recorded on Microfilm Roll No. 46, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted; Repealing Old Resolution No. 93552 and adopting the following fees for the use of the Mission Beach Plunge:

Admission Fee - Children under 16 years 35¢
Adults 60¢
Shower and Checking Fee - - - - - 25¢.

Groups such as schools, scouts, clubs, churches, etc., involving 15 or more participants under 16 years of age, and supplying adult leadership shall be admitted upon payment of an individual admission fee of 20¢.

Nights when plunge is normally closed to the public, groups may rent entire plunge facilities from 7:00 P.M. to 10:00 P.M. for flat fee of \$50.00, plus \$12.00 for each additional hour.

A family coupon book worth \$6.00 of admission fees may be purchased for \$5.00.

RESOLUTION NO. 104952, recorded on Microfilm Roll No. 46, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted; Repealing Resolution No. 93554 and adopting the following fees for the use of the Municipal Swimming Pool in Balboa Park:

Admission Fee - Children under 12 years 15¢
Juniors, 12 to 15 years, inclusive, 30¢
Adults, 40¢
Shower and Checking Fee - - - - - 10¢.

RESOLUTION NO. 104953, recorded on Microfilm Roll No. 46, authorizing and empowering the City Manager to do all the work in connection with the installation of 1270 feet of 6-inch water main, one 6-inch two-way fire hydrant, the renewal and transfer of 32 services to the new main, and hi-lining of 1200 feet of 2-inch water main, and the salvaging or abandonment of 1190 feet of 2-inch W. I. pipe, in Beaumont Street, from Colima Street to Forward Street, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104954, recorded on Microfilm Roll No. 46, authorizing O. W. Campbell, City Manager, to attend the meeting of the California Major Highway Development Association, to be held in San Francisco on January 9, 1952; authorizing him to incur all expenses necessary in connection with said trip; further authorizing said City Manager to attend the meeting of the Board of Directors of the League of California Cities, to be held in Los Angeles on January 11th and 12th, 1952, the expenses for the attendance at said meeting to be paid by the League of California Cities; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 104955, recorded on Microfilm Roll No. 46, authorizing F. G. Peters, Edward F. Gabrielson and John K. Patterson, of the City Engineer's Office, to attend the 2-1/2-day short course on "Lambert Conformal Projection" (for Control of surveys on the California State Coordinate System), to be held in Los Angeles January 9th to 11th, 1952; authorizing them to incur all expenses necessary in connection with said trip; was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 104956, recorded on Microfilm Roll No. 46, accepting the Encroachment Permit No. B-113,684, executed by the State of California, Department of Public Works, Division of Highways, granting permission to The City of San Diego to construct, operate and maintain a sanitary sewer system on State Highway Road XI-SD-200-SD, Federal Boulevard, from a point near 47th Street easterly to center line of 50th Street; authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of The City of San Diego, an acknowledgement of the acceptance of said permit and of all of the terms and conditions therein set forth; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104957, recorded on Microfilm Roll No. 46, accepting the

deed of The M. Hall Company, a corporation, executed in favor of the City of San Diego, conveying to said City portions of Lot 36, Lots 61 to 66 inc., Lots 76 to 79 inc., Lot 74, all of Lots 37 to 60 inc., and all of Lot 75, all foregoing Lots being in Block 1; and all of Lots 1 to 19 inc., and Lots 40 to 50 inc., and portions of Lots 20 to 25 inc., all in Block 5; all of the foregoing property being in the Dells Park, according to Map thereof No. 1172; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104958, recorded on Microfilm Roll No. 46, accepting the deed of Karl K. Kimmons and Elizabeth E. Kimmons executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lots 15 and 16, Block 14, Beverly, according to Map thereof No. 1129; setting aside and dedicating the land therein conveyed to the public use as and for a public street, and naming the same CRESTON DRIVE; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104959, recorded on Microfilm Roll No. 46, accepting the deed of Western Mutual Corporation, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes, through, along and across a portion of Lot 53, Ex Mission Lands of San Diego, according to Map thereof No. 283; setting aside and dedicating to the public use the land therein conveyed as and for a public street, and naming the same EUCLID AVENUE; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104960, recorded on Microfilm Roll No. 46, accepting the deed of Western Mutual Corporation executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes, through, along and across a portion of Lot 1, Las Alturas Villa Sites, according to Map thereof No. 501; setting aside and dedicating to the public use the land therein conveyed to the public use as and for a public street, and naming the same EUCLID AVENUE; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104961, recorded on Microfilm Roll No. 46, accepting the deed of Eugene E. Shepard and Catherine R. Shepard executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes, through, along and across a portion of Lot 16, Ex Mission Lands of San Diego, according to Map No. 283; setting aside and dedicating to the public use as and for a public street, the lands therein conveyed; and naming the same MARILOU ROAD; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104962, recorded on Microfilm Roll No. 46, accepting the quitclaim deed of Jessica B. Klauger executed in favor of The City of San Diego, quitclaiming to said City a right of way for drainage purposes through, along and across that right of way lying adjacent to Lots 4, 5, 6 and 14, as said right of way and lots are shown on Map No. 1849 of Brooklyn Terrace, filed in the office of the San Diego County Recorder; authorizing and directing the City Clerk to file the said quitclaim deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104963, recorded on Microfilm Roll No. 46, accepting the deed of Jack J. Evinger executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 21, Block 59 of Caruther's Addition, according to Map thereof No. 27; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this Resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104964, recorded on Microfilm Roll No. 46, accepting the deed of Roy Shaffer and Irene Shaffer executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 25 and Lot 26, Block "E", Altavista Suburb, according to Map thereof No. 1008, filed in the office of the Recorder of the County of San Diego; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104965, recorded on Microfilm Roll No. 46, accepting the deed of Western Area Company executed in favor of The City of San Diego, conveying to the City an easement and right of way for sewer purposes through, along and across a portion of Lot 37, Rancho Mission of San Diego, County of San Diego, according to the Partition Map on file in the office of the County Clerk of San Diego County in Action No. 348 in the Superior Court of said County entitled Juan M. Luco et al. vs. the Commercial Bank of San Diego

et al; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104966, recorded on Microfilm Roll No. 46, accepting the deed of Eugene E. Shepard and Catherine R. Shepard executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer and storm drain purposes through, along and across a portion of Lot 16, Ex Mission Lands of San Diego, commonly known as Horton's Purchase, according to Map No. 283 thereof, filed in the office of the San Diego County Recorder; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104967, recorded on Microfilm Roll No. 46, accepting the deed of Lloyd Roy Bodin and Marjorie Frances Bodin, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes, through, along and across a portion of Lot 32, Block 4 of Pacific Beach Vista Tract, according to Map thereof No. 916; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104968, recorded on Microfilm Roll No. 46, accepting the deed of William B. Carroll and Barbara Jean Carroll, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes, through, along and across a portion of Lot 65, Block 4 of First Addition to Pacific Beach Vista Tract, according to Map thereof No. 930 filed in the office of the County Recorder of San Diego County; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of said San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104969, recorded on Microfilm Roll No. 46, accepting the deed of Richard J. Wood and Carol E. Wood, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes, through, along and across a portion of Villa Lot 21, Mission Hills, according to Map thereof No. 1115, filed in the office of the Recorder of the County of San Diego; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 104970, recorded on Microfilm Roll No. 46, accepting the quitclaim deed of Jessica B. Klauber executed in favor of The City of San Diego, quitclaiming to the City the right of way for water pipe line purposes, through, along and across two parcels lying adjacent to Lots 22 and 23, and Lots 24 and 25, as said lots and right of way are shown on Map No. 1849 of Brooklyn Terrace, filed in the office of the San Diego County Recorder; authorizing and directing the City Clerk to file the said quitclaim deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

ORDINANCE NO. 5032, (New Series), recorded on Microfilm Roll No. 46, Appropriating the sum of \$2,550.00 from the Traffic Safety Fund, for the purpose of providing funds for the furnishing and installation of Traffic Signals at Federal Boulevard and Market Street, in The City of San Diego, California, was on motion of Councilman Kerrigan, seconded by Councilman Dail, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--None. Absent--None.

ORDINANCE NO. 5033, (New Series), recorded on Microfilm Roll No. 46, Appropriating the sum of \$3,000.00 from the Unappropriated Balance of The City of San Diego, for the purpose of providing funds for the purchase of equipment for the Central Stores, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Dail, said ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

A proposed Ordinance appropriating the sum of \$19,000.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the construction of Tidal Gates and the reconditioning of Storm Drains in Mission Beach, in said City was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, consideration of this proposed Ordinance was continued until the meeting of Tuesday, January 8th, 1952.

ORDINANCE NO. 5034, (New Series), appropriating the sum of \$50,000.00 from the Civil Defense Reserve Fund of The City of San Diego, for the purpose of providing funds for the operation of the Civilian Defense Department of said City, was on motion of Councilman Schneider, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5035, (New Series), providing for the Police Regulation and Supervision of certain activities of Brokers and other persons who sell passenger space on Airplanes in The City of San Diego, California; and making it illegal to make certain representations in the course of such activities; and providing a penalty for the violation of the Ordinance, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Dail and Godfrey. Nays--Councilmen Schneider and Kerrigan and Mayor Butler. Absent--None.

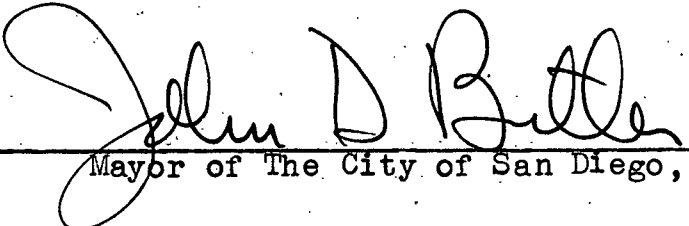
The foregoing ordinance was not finally passed until it had been read on two separate calendar days of the Council, to-wit: on the 20th day of December, 1951, and on the 2nd day of January, 1952.

By unanimous consent, on motion of Councilman Wincote, seconded by Councilman Swan, RESOLUTION NO. 104971, recorded on Microfilm Roll No. 46, approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of a storm drain in Lot 10, Lemon Villa, adjacent to Richmond Hills, San Diego, California; approving the proposed wage scale contained in said specifications; and authorizing the Purchasing Agent to proceed to publish in accordance with law, notice to contractors calling for bids for said work, in accordance with said plans and specifications contained in Document No. 442075; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

A Mr. Sam Bain, 1525 Acheson Street, spoke relative to the Flag Pole formerly in use at Camp Callan. He stated a former suggestion, made by him, was to move said flag pole to Horton Plaza, to be painted by Mr. Bain as his contribution to the public welfare. He said the flag pole in question is gone; but that he will still paint a flag pole in Horton Plaza, if one is installed. On motion of Councilman Dail, seconded by Councilman Kerrigan, Mr. Bain was referred to the City Manager for a discussion of the matter.


Councilman Kerrigan spoke relative to the desire of Red Cross officials to install flags on City Streets during the month of March, 1952. Considerable discussion relative to the Red Cross request, and similar requests for the use of City Streets, followed. No action was taken on the matter.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 12:03 o'clock P.M., on motion of Councilman Godfrey, seconded by Councilman Wincote.


 Mayor of The City of San Diego, California.

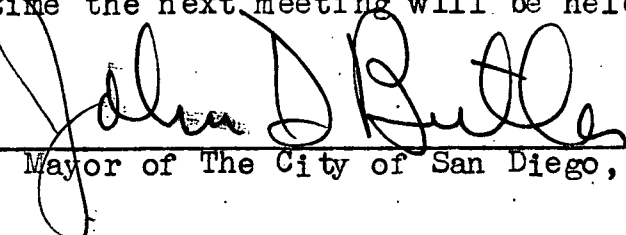
ATTEST:

FRED W. SICK, City Clerk,

By 
 Deputy.

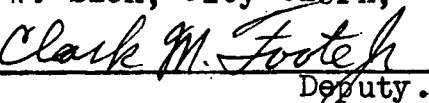
THURSDAY, JANUARY 3, 1952
 Chamber of the Council of The City of
 San Diego, California.

Mayor Butler appeared in the Council Chamber at the hour of 10:10 o'clock A.M. and announced that no meeting would be held this date, and that all matters which would have been considered at this time had been continued until the hour of 10:00 o'clock A.M. of Tuesday, January 8th, 1952, at which time the next meeting will be held.


 Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By 
 Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, January 8th, 1952

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:00 o'clock A.M.

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

The Minutes of the Adjourned Regular Meeting of Wednesday, January 2nd, 1952, and of the Regular Meeting of Wednesday, January 2nd, 1952, and of the Meeting of Thursday, January 3, 1952, which was adjourned for lack of a quorum, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for Construction of a Pelletizing System at the Sewage Treatment Works; a City cash job under specifications contained in Document No. 442150; and further described as Specification No. 213 (W.O. 20324); the Clerk reported that one bid had been received, which bid was presented to the Council.

Thereupon, on motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of Rogers Construction Company, 3669 California Street, San Diego, California, accompanied by a bond written by the General Casualty Company of America in the penal sum of Ten Per Cent (10%) of the amount bid; which bid was given Document No. 443268.

Thereupon, on motion of Councilman Dail, seconded by Councilman Kerrigan, said bid was referred to the City Manager and the City Attorney for report and recommendation.

At this time Councilmen Swan and Wincote entered and took their places on the Council.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the resurfacing of National Avenue from 12th Street to 26th Street and also Main Street from Sigsbee Street to 28th Street; and 47th Street from Federal Boulevard to a point approximately 2000' South of the south line of Logan Avenue, including shoulders; under Specification No. 94; a City cash job under specifications contained in Document No. 442765, the Clerk reported that five bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Griffith Company, accompanied by a bond written by the National Surety Corporation of New York in the sum of \$6000.00; which bid was given Document No. 443269;

The bid of Cox Bros. Construction Co., accompanied by a bond written by the Great American Indemnity Company of New York in the sum of Ten Per Cent (10%) of the amount of the bid; which bid was given Document No. 443270;

The bid of Daley Corporation, accompanied by a bond written by the Glens Falls Indemnity Company in the sum of \$6000.00; which bid was given Document No. 443271;

The bid of R. E. Hazard Constructing Co., accompanied by a bond written by the Pacific Indemnity Company in the sum of Ten Per Cent (10%) of the amount of the bid; which bid was given Document No. 443272;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by a bond written by the American Surety Company of New York in the sum of Ten Per Cent (10%) of the amount of the bid; which bid was given Document No. 443273.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of the Alley in Block 41, Ocean Beach, and a portion of Ebers Street, as described in Resolution of Intention No. 104264, the Clerk reported that four bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Al E. Riley, Inc., accompanied by a bond written by the Fidelity and Casualty Company of New York in the sum of \$600.00; which bid was given Document No. 443274;

The bid of V. R. Dennis Construction Co., accompanied by a bond written by the American Surety Company of New York in the sum of \$600.00; which bid was given Document No. 443275;

The bid of T. B. Penick & Sons, accompanied by a bond from the Massachusetts Bonding and Insurance Company in the sum of \$550.00; which bid was given Document No. 443276;

The bid of John B. Henry, accompanied by a bond from the Fidelity and Casualty Company of New York, in the sum of \$550.00; which bid was given Document No. 443277;

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of the Alley in Block 3, Wilshire Place, and a portion of Meade Avenue, as described in Resolution of Intention No. 104265, the Clerk reported that four bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Al E. Riley, Inc. accompanied by a bond from the Fidelity and Casualty Company of New York in the sum of \$600.00; which bid was given Document No. 443278;

The bid of V. R. Dennis Construction Co., accompanied by a bond from the American Surety Company of New York in the sum of \$500.00; which bid was given Document No. 443279;

The bid of T. B. Penick & Sons, accompanied by a bond from the Massachusetts Bonding and Insurance Company in the sum of \$500.00; which bid was given Document No. 443280;

The bid of John B. Henry, accompanied by a bond from the Fidelity and Casualty Company of New York in the sum of \$500.00; which bid was given Document No. 443281.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Palermo Drive and Alcott Street, as described in Resolution of Intention No. 104266, the Clerk reported that five bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Daley Corporation, accompanied by a bond from the Glens Falls Indemnity Company in the sum of \$1100.00; which bid was given Document No. 443282;

The bid of R. E. Hazard Contracting Co., accompanied by a bond from the Pacific Indemnity Company in the sum of \$1000.00, which bid was given Document No. 443283;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by a bond from the American Surety Company of New York in the sum of \$1200.00, which bid was given Document No. 443284;

The bid of Griffith Company, accompanied by a bond from the National Surety Corporation in the sum of \$1200.00, which bid was given Document No. 443285;

The bid of Cox Bros. Construction Co., accompanied by a bond from the Great American Indemnity Company in the sum of \$1100.00; which bid was given Document No. 443286.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District No. 1, for a period of one year from Sept. 14, 1951 to & incl. Sept. 15, 1952 the Clerk reported that one bid had been received, which bid was presented to the Council.

Thereupon, on motion duly made and seconded, said bid was opened and publicly read.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by a certified check in the sum of \$90.00, which bid was given Document No. 443287.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Dail, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2043, made to cover the costs and expenses of the work of paving and otherwise improving of Hancock Street and Clayton Street, under Resolution of Intention No. 101329, the City Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested property owners were present who wished to be heard.

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

RESOLUTION NO. 104972, recorded on Microfilm Roll No. 46, confirming and approving the Street Superintendent's Assessment No. 2043, made to cover the costs and expenses of the paving and otherwise improving of Hancock Street and Clayton Street, under Resolution of Intention No. 101329, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing him to record the same in his office, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lamps located in El Cajon Boulevard Lighting District No. 1, for a period of one year from ^{Nov. 30,} 1951 to including December 1, 1952, the City Clerk reported that no written protests had been received. No one appeared to be heard.

RESOLUTION NO. 104973, recorded on Microfilm Roll No. 46, confirming and adopting as a whole the Engineer's Report and Assessment for El Cajon Boulevard Lighting District No. 1, filed in the office of the City Clerk November 30th, 1951, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lamps located in Montemar Lighting District No. 1, for a period of one year from ^{Dec. 15,} 1951 to and including December 16, 1952, the City Clerk reported that no written protests had been received. No one appeared to be heard.

RESOLUTION NO. 104974, recorded on Microfilm Roll No. 46, confirming and adopting as a whole the Engineer's Report and Assessment for Montemar Lighting District No. 1, filed in the office of the City Clerk November 30th, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 104353 had been continued (from December 11, December 18, December 26, 1951 and January 2nd, 1952) on the paving and otherwise improving of Tustin Street, all papers in connection with the proceedings were presented.

The City Engineer reported, that in response to post card inquiries, 48.6% of the frontage owners wish to proceed under the present plans; 26.1% want a new, and lower, grade; and the remainder did not respond.

Mr. J. F. Houshar of 1851 Tustin Street spoke, opposing the present grades as shown on the plans for the proposed work. Six others joined Mr. Houshar in his objections.

Considerable discussion followed, including comments by the Mayor and all of the Councilmen present.

The grade plat was sent for, and fully explained by the City Engineer. This showed that the grade established in 1927 was higher than that to be used in the proposed improvement.

Councilman Dail suggested that the Councilmen should inspect the property in question during the lunch hour; as opponents claimed some of the houses would be left six or eight feet below grade if the work was done in accordance with the existing plans.

Thereupon, on motion, the hearing was continued until the hour of 2:00 o'clock P.M. this date.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on a proposed Ordinance Incorporating Lots 13 to 17, inclusive, Block 3; Lots 8 to 12, inclusive, Block 6; Ocean View, into "R-2" Zone; and repealing conflicting Ordinance; the Mayor inquired if any interested persons were present who desired to be heard.

No protests, oral or written, were received.

No protests developed at the hearing.

A report from the City Planning Commission was read by the City Clerk.

All interested persons having been heard, ORDINANCE NO. 5036 (New Series) recorded on Microfilm Roll No. 46, incorporating Lots 13 to 17 inclusive, Block 3; Lots 8 to 12 inclusive, Block 6; Ocean View in the City of San Diego, California, into "R-2" Zone as defined by Ordinance No. 8924 of the Ordinances of said City and amendments thereto; and repealing Ordinance No. 12793 approved April 14, 1930, insofar as the same conflicts therewith, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Swan, seconded by Councilman Schneider, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on a proposed Ordinance Incorporating portions of Lots 33 and 34 of Lemon Villa in the City of San Diego, California, into "R-2" Zone; and repealing conflicting Ordinance; the Mayor inquired if any interested persons were present who desired to be heard.

No protests, oral or written, were received.

A report from the City Planning Commission was read by the City Clerk.

All interested persons having been heard, ORDINANCE NO. 5037, (New Series) recorded on Microfilm Roll No. 46, incorporating portions of Lots 33 and 34 of Lemon Villa in the City of San Diego, California, into "R-2" Zone as defined by Ordinance No. 8924 of the Ordinances of said City and amendments thereto; and repealing Ordinance No. 184 (New Series), insofar as the same conflicts therewith, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilman Swan, Wincote, Schneider, Kerrigan, Dail and Mayor Butler. Nays--None. Absent--Councilman Godfrey.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on a proposed Ordinance incorporating Lots A to F, Block 231, Horton's Addition in the City of San Diego, California, into "R-4" Zone as defined by Ordinance No. 8924 of the Ordinances of said City and amendments thereto; and repealing Ordinance No. 3037 (New Series), adopted July 17, 1945; said proposed Ordinance and all papers in connection therewith were presented.

The report from the City Planning Commission was read by the City Clerk. After some discussion relative to the permitted use of property in this Block 231, Horton's Addition, consideration of the proposed Ordinance was continued for one week, on motion of Councilman Dail, seconded by Councilman Swan.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of William M. Brooks from the decision of the Zoning Committee denying him permission to construct a free standing sign approximately 6' by 12', on Block B, Bird Rock Villas, at 5390 La Jolla Boulevard, in Zone R-4, all papers in connection with the matter were again presented; the hearing having been continued from the meeting of January 2nd, 1952.

A report from the City Planning Commission was read by the City Clerk; showing that the Zoning Committee by a vote of 3 to 0 had denied the request for an illegal sign in an R-4 Zone.

Mr. William M. Brooks displayed architects drawings of his court and design of the proposed sign.

A representative of the La Jolla Town Council spoke in connection with the matter. It was pointed out that the location proposed for this sign was several miles from the La Jolla Cove, in the vicinity of Bird Rock Addition.

All interested persons having been heard, including the City Planning Director, RESOLUTION NO. 104975, recorded on Microfilm Roll No. 46, sustaining the appeal of William M. Brooks, Colonial Hotel, La Jolla, California, from the decision of the Zoning Committee in denying by its Resolution No. 6075, application No. 10119, for variance to the provisions of Ordinance No. 8924, to construct a free standing sign approximately 6 feet by 12 feet in Block B, Bird Rock Villas, at 5390 La Jolla Boulevard, in Zone R-4; and overruling said Zoning Committee decision; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Councilman Kerrigan suggested an amendment to the sign ordinance relative to Hotels, Motels, and so forth, in R-4 Zones.

RESOLUTION NO. 104976, recorded on Microfilm Roll No. 46, referring to Council Conference the matter of amending the Sign Ordinance pertaining to Hotels, Motels, et cetera, in R-4 Zones, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

By unanimous consent, at the request of Councilman Dail, a communication from the San Diego Race Relations Society relative to need for a storm drain sewer in Chollas Valley, filed on January 7th, 1952, was considered at this time.

Mr. Dennis V. Allen, President of the San Diego Race Relations Society, and representing a large delegation of Logan Heights Residents spoke at this time.

He mentioned flood control problems in Chollas Valley; stating that a number of residents had been flooded out of their homes recently during a major rainstorm.

His suggestion for abatement of odors from Tuna Factories near the foot of Crosby Street was commented upon by Councilman Dail; who suggested he talk with Port Director John Bate on this subject.

Mr. Allen mentioned debris and refuse washing down Chollas Valley from the East San Diego area. He suggested installation of a storm sewer just west of and parallel with 34th Street, south of Market Street. He further requested that the Council contact the State Highway Commission relative to installation of a storm drain in connection with the Wabash Canyon Freeway at State expense; and requested that the City Council inspect the area affected.

The City Manager stated that the State Highway Department, as a rule, did not install such drainage structures.

After a thorough discussion, on motion of Councilman Dail, seconded by Councilman Kerrigan, the communication contained in Document No. 443265, from the San Diego Race Relations Society was referred to the City Manager.

Claim of Gust Gall, contained in Document No. 443088, based on damages to his automobile at 10th Avenue and A Street, involving a City-owned grader; accompanied by two estimates for repairing the damage; one for \$251.51 and the other for \$313.88; was presented.

RESOLUTION NO. 104977, recorded on Microfilm Roll No. 46, referring said claim to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Mrs. Marion Grogan, contained in Document No. 443010, based on damages to her court at 1206 Morena Boulevard caused by a broken water main; accompanied by a bill for three loads of granite hauled to this property at a cost of \$37.26; was presented.

RESOLUTION NO. 104978, recorded on Microfilm Roll No. 46, referring said claim to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Merle F. Foster, contained in Document No. 443085, based on damage to an automobile when a rear wheel dropped into an open manhole at 8th Avenue and G Street, for the sum of \$50.00; was presented.

RESOLUTION NO. 104979, recorded on Microfilm Roll No. 46, referring said claim to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Leo Robbins, contained in Document No. 443011, based on alleged damage to rear gate at his property at 4571 - 32nd Street by a City water department truck, for the sum of \$10.00 was presented.

RESOLUTION NO. 104980, recorded on Microfilm Roll No. 46, referring said claim to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of La Von Moskowitz, contained in Document No. 443107, based on damages to her automobile by a Police Prowl Car, accompanied by an estimate for repairing the damage in the sum of \$254.83, was presented.

RESOLUTION NO. 104981, recorded on Microfilm Roll No. 46, referring said claim to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on four bids received for core recovery drilling at one or more points along Black Canyon Tunnel - Sutherland-San Vicente Conduit, was presented.

RESOLUTION NO. 104982, recorded on Microfilm Roll No. 46, accepting the bid of Continental Drilling Company for core recovery drilling of Black Canyon Tunnel, Sutherland-San Vicente Conduit, for the sum of \$5990.00; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing 85-100 penetration paving asphalt and emulsified asphalt for a one-year period, as per specifications on file in the office of the City Clerk bearing Document No. 443200, was presented.

RESOLUTION NO. 104983, recorded on Microfilm Roll No. 46, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing the City of San Diego with its requirements of 85-100 penetration paving asphalt and emulsified asphalt for a one-year period beginning February 1, 1952, in accordance with specifications, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on four bids received for construction of Tidal Gates and the reconditioning of Storm Drains in Mission Beach, was presented.

RESOLUTION NO. 104984, recorded on Microfilm Roll No. 46, accepting the bid of Johnson Western Constructors for construction of Tidal Gates and the reconditioning of Storm Drains in Mission Beach, on items 1 through 14, deleting item 15, and reducing item 16 by \$2,760.00, making a total price of \$17,295.50; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 104985, recorded on Microfilm Roll No. 46, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the installation of various distribution mains in San Diego, California, bearing Document No. 443160; approving the wage scale contained in said specifications; authorizing and directing the Purchasing Agent to proceed to publish notice calling for bids for the work in accordance with said plans and specifications; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the City Manager recommending filing communication from Western Area Housing Company relative to building permit fees, contained in Document No. 442245, was presented and on motion of Councilman Swan, seconded by Councilman Wincote, ordered filed; together with the letter from the Western Area Housing Company.

Communication from the City Manager recommending filing petition of property owners for annexation of Lots 5 to 10, Block 18, Kensington Park, was presented and on motion of Councilman Wincote, seconded by Councilman Schneider, ordered filed; together with said Petition.

Communication from the City Manager recommending filing letter from Radio Station KCBQ relative to television allocation for San Diego City was presented, and on motion of Councilman Wincote, seconded by Councilman Swan, ordered filed; together with said letter.

Communication from the City Manager recommending filing letter from the Beverly Hill Civic Organization requesting an allocation for street trees in that District was presented, and on motion of Councilman Swan, seconded by Councilman Schneider, ordered filed; together with said letter.

Communication from the City Manager reporting on request of the County Department of Public Works for cancellation of certain street lighting assessments was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed; together with the request.

Application of Froebel Astor Brigham for a Class A license to conduct a public dance at Brigham's Cafe Society, 1721 National Avenue, was presented; together with recommendations for approval from the interested City Departments and from the City Manager.

RESOLUTION NO. 104986, recorded on Microfilm Roll No. 46, granting the application of Froebel Astor Brigham for a Class A license to conduct public dance at Brigham's Cafe Society, 1721 National 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 Swan, adopted.

Application of Purcell Webb for a Class A license to conduct public dance at the Canteen Cafe, 1921 Bacon Street, on premises where intoxicating liquor is sold, was presented; together with recommendations for approval from the interested City Departments and from the City Manager.

RESOLUTION NO. 104987, recorded on Microfilm Roll No. 46, granting the application of Purcell Webb for a Class A license to conduct public dance at the Canteen Cafe, 1921 Bacon Street, 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.

At this time Councilman Dail was excused from the meeting.

Communication from the City Engineer, approved by the City Manager, recommending change of grade on Udall Street, between the northwesterly line of Worden Street and a line parallel to and distant 250.00 feet southeasterly from Warrington Street, approved by the City Manager, was presented.

RESOLUTION NO. 104988, recorded on Microfilm Roll No. 46, rescinding Resolution No. 104330, adopted on November 13, 1951; and directing the City Engineer to furnish the Council with a map for the commencement of change of grade proceedings on Warrington Street between the northeasterly line of Tennyson Street and the southerly line of Voltaire Street; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, approved by the City Manager, recommending denial of petition to close a portion of the Alley in Block 10, Haffenden and High's Addition, was presented.

RESOLUTION NO. 104989, recorded on Microfilm Roll No. 46, denying the petition for the closing of the easterly 300 feet of the Alley in Block 10, Haffenden and High's Addition, contained in Document No. 439735, as recommended by the Street Superintendent, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent recommending the closing of a portion of Lowell Street, through Blocks 1, 2 and 3, Glenartney, etc.; also recommending that the City bear the expense of said closing; approved by the City Manager, was presented.

RESOLUTION NO. 104990, recorded on Microfilm Roll No. 46, granting the petition for the closing of that portion of Lowell Street through Blocks 1, 2 and 3, Glenartney, contained in Document No. 441015, as recommended by the Street Superintendent; directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing; the City of San Diego to pay the costs of said closing; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission recommending suspension of nine sections of the Subdivision Ordinance relative to the tentative Map of Cabrillo Heights, was presented.

RESOLUTION NO. 104991, recorded on Microfilm Roll No. 46, suspending sections 3C, 3H1 and 2, 3F3, 3I1, 3I2, 4A8 and 6 and Section 5C of the subdivision ordinance in connection with the Tentative Map of Cabrillo Heights, and as they relate to the Final Map thereof; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission recommending approval of the tentative Map of Cabrillo Heights, a subdivision of the Wherry Housing Project on Lot 37 of Rancho Mission; subject to 10 conditions, was presented.

RESOLUTION NO. 104992, recorded on Microfilm Roll No. 46, approving the Tentative Map of Cabrillo Heights, subject to ten conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from E. L. Bartlett relative to City street closings was presented. This was intended to be a protest against the proposed closing of Idaho Street, south of El Cajon Boulevard, and no action was taken by the City Council at this time.

Communication from Foster and Kleiser Company relative to letter from the State Division of Highways relative to advertising displays within view of State Freeways, etc., was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the communication was ordered filed.

Communication from the San Diego County Fish and Game Association thanking the City Officials for cooperation in connection with controlled pheasant shoot on City-owned lakes was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed.

Communication from Mrs. Eva B. Shannon requesting Council assistance in securing Bus service to the Grantville area was presented, and on motion of Councilman Swan, seconded by Councilman Dail, referred to the City Manager.

Communication from the Pacific Indemnity Company reporting on the claim of James A. Jespersen; stating that this case was closed by payment of \$200.00; was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Charles Padgett; stating that this case was completed by payment of \$207.72; was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

RESOLUTION ORDERING WORK NO. 104993, recorded on Microfilm Roll No. 46, for the paving and grading and installation of sidewalks on Commonwealth Avenue, Laurel Street and Boundary Street, within the limits and as described in Resolution of Intention No. 104511, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 104994, recorded on Microfilm Roll No. 46, for the closing of all that portion of the Alley in Block 55, Morena, according to Map No. 809, lying southerly of the easterly prolongation of the northerly line of Lot 13, in said Block 55; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 104995, recorded on Microfilm Roll No. 46, for the closing of all that portion of April Street, lying between the southerly line of July Street and the northerly line of August Street; and the closing of the Alley in Block B of Tecolote Heights, according to Map thereof No. 1487; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 104996, recorded on Microfilm Roll No. 46, for the closing of all that portion of Emerald Street, lying between the easterly line of Haines Street closed, and a line connecting the southeasterly corner of Lot 25, Block 163, Subdivision of Acre Lots 67, 68, 76, 77, 80 and 81 of Pacific Beach, according to Map No. 946, and the northeasterly corner of Lot 16, Block 184, of said subdivision; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 104997, recorded on Microfilm Roll No. 46, for the closing of all that portion of Shafter Street, adjacent to Blocks 28 and 29 of Roseville, according to Map thereof No. 165, lying between the northeasterly line of Carleton Street and the mean high tide line of the Bay of San Diego; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 104998, recorded on Microfilm Roll No. 46, for the furnishing of electric current for the lighting of the ornamental Street Lights located in Logan Avenue Lighting District No. 1, for a period of one year from and including November 16, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 104999, recorded on Microfilm Roll No. 46, for the furnishing of electric current for the lighting of the ornamental Street Lights located in Pacific Highway Lighting District No. 1, for a period of one year from and including November 5, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 105000, recorded on Microfilm Roll No. 46, for the closing of that portion of the Alley in Block 13, Las Alturas No. 4, according to Map No. 2052 of said Las Alturas No. 4, lying between the southeasterly line of Imperial Avenue and a line parallel to and distant 20.00 feet southwesterly, measured at right angles, from the northwesterly prolongation of the northeasterly line of Lot S in said Block 13, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 105001, recorded on Microfilm Roll No. 46, for the closing of the Alley in Block C of Tecolote Heights Subdivision, according to Map No. 1487 of said Tecolote Heights, lying between the southerly line of July Street and the northerly line of August Street; also

The Alley in Block E of said Tecolote Heights lying between the southerly line of August Street and the northwesterly line of September Street; and

The Alley in Block F of said Tecolote Heights lying between the southerly line of August Street and the northwesterly line of September Street;

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

RESOLUTION NO. 105002, recorded on Microfilm Roll No. 46, approving the diagram of the property affected or benefited by the work of improvement to be done on paving the Alley in Block 245, Mission Beach, and Mission Boulevard, as described in Resolution of Intention No. 101110; and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105003, recorded on Microfilm Roll No. 46, approving the diagram of the property affected or benefited by the work of improvement to be done on paving the Alley in Block 323, Reed and Daley's Addition; and 29th Street; as described in Resolution of Intention No. 101405, and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105004, recorded on Microfilm Roll No. 46, approving the diagram of the property affected or benefited by the work or improvement to be done on paving Oliver Avenue, between Dawes and Fanuel Streets, as described in Resolution of Intention No. 102301, and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105005, recorded on Microfilm Roll No. 46, authorizing and empowering the City Manager to execute an agreement with the State of California through its Department of Public Works, Division of Highways, whereby the City of San Diego consents to the closing, relocation and other reconstruction of the City streets in accordance with three sets of a planned map of the District Engineer of the Eleventh District, denominated "Key Map of Road XI-SD-2-SD in San Diego County from Rosecrans Street to 0.6 miles North of Balboa Avenue"; such changes to be made at State expense, the City resuming control over such changed streets, outer highways and connections on notice from the State that the work has been completed; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105006, recorded on Microfilm Roll No. 46, authorizing the City Manager to enter into a lease with George R. Petersen and Capitola Petersen for the leasing of a portion of the M. Barnett Tract in Rancho San Bernardo, according to a survey made by Lew B. Harris and filed as Map 180 in Book 5 of Licensed Surveyor's Maps in the office of the Recorder of San Diego County, California, at an annual rental of Seventy Dollars per year payable yearly in advance, for a period of five years beginning on December 1, 1951, upon terms and conditions set out in the form of said Lease contained in Document No. 443215; which real property has a value of \$4000.00; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105007, recorded on Microfilm Roll No. 46, authorizing the City Manager to enter into a contract with Luie B. Butterfield and Edna L. Butterfield, subdividers of "Euclid Manor", filed as Map No. 2752, in the office of the County Recorder of San Diego County, California, providing for the installation of water mains and appurtenant structures in said subdivision, and for the reimbursement by The City of San Diego to the subdividers of the sum of \$6,610.00 for the difference in cost of water mains required in said subdivision and the larger size water mains required by the City, under certain conditions, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105008, recorded on Microfilm Roll No. 46, accepting the Quitclaim Deed, executed by Luie B. Butterfield and Edna L. Butterfield, quitclaiming to The City of San Diego all water mains and appurtenant structures within or without the subdivision named "Euclid Manor", filed as Map No. 2752 in the County Recorder's Office, San Diego County, California; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of said County Recorder; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105009, recorded on Microfilm Roll No. 46, authorizing the City Manager to enter into a contract with Arthur H. McKee and Dorothy J. McKee, subdividers of "Collwood Park Unit No. 3", filed as Map No. 2679, in the office of the County Recorder of San Diego County, California, providing for the installation of water mains and appurtenant structures in said subdivision, and for the reimbursement by The City of San Diego to the subdividers of the sum of \$513.00 for the difference in cost of water mains required in said subdivision and the larger size water mains required by the City, under certain conditions, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105010, recorded on Microfilm Roll No. 46, accepting the Quitclaim Deed, executed by Arthur H. McKee and Dorothy J. McKee, quitclaiming to The City of San Diego all water mains and appurtenant structures located within or without the subdivision named "Collwood Park Unit No. 3", as shown on Map No. 3679, in the office of the County Recorder of San Diego County, California; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of said County Recorder; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105011, recorded on Microfilm Roll No. 46, authorizing and directing the City Manager to make application to the County Board of Supervisors of the County of San Diego, State of California, for an option to purchase certain tax-deeded lands described as:

W 120 ft of Lots 49 & 50, Block 259, University Heights and
W 120 ft of Lots 51 to 54, incl. Block 259, University Heights,
and to take all steps to acquire from the State of California the lands herein described, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105012, recorded on Microfilm Roll No. 46, approving Change Order No. 1, filed as Document No. 443224, for the cleaning and cement mortar lining of the 30th Street 16-inch cast iron pipe line and appurtenances, which said contract is contained in Document No. 440187; the changes therein set forth amounting to an increase in the contract price of \$292.50; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105013, recorded on Microfilm Roll No. 46, granting the request of Rogers Construction Company, approved by the Acting Director of the Water Department and the City Manager, as contained in Document No. 443226, for an extension of time of 15 days, to and including January 8, 1952, in which to complete its contract for the construction of the Lakeside Pumping Plant, and which said contract is contained in Document No. 437781, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105014, recorded on Microfilm Roll No. 46, granting permission to the County of San Diego to construct, reconstruct, maintain and/or use a road across the City's right of way for El Monte Pipe Line, Section II, and Grossmont Tunnel, at the location shown on Drawing of County Road Survey No. 473, Sheet 6, on file under Document No. 443228, on terms and conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105015, recorded on Microfilm Roll No. 46, granting permission to install 3-inch vent stacks on two-story buildings in the Wherry Tract, pursuant to the provisions of Section 32 of Ordinance No. 11648 (Plumbing Ordinance); subject to the approval of the Health Department and the City Manager, and upon the express condition that The City of San Diego shall be held free and clear of any claim for damages by reason of the installation, operation and maintenance of said vent stacks, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105016, recorded on Microfilm Roll No. 46, allowing the bill of San Diego Junior Chamber of Commerce, bearing date of December 28, 1951, in the sum of \$500.00 for expenses incurred in connection with the City of San Diego's share of Tournament of Roses Parade float cost, as approved by the Advertising Control Committee; authorizing a requisition to be drawn on the Advertising and Publicity Fund of The City of San Diego for the fiscal year 1951-52 for said sum; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105017, recorded on Microfilm Roll No. 46, authorizing Hoyt Ray, City Prosecutor of The City of San Diego, to attend the Fourth Annual Traffic Court Judges and Prosecutors Conference, to be held in cooperation with the American Bar Association and the Traffic Institute of Northwestern University, at the School of Law, University of Southern California, February 4th to 8th, 1952; authorizing him to incur all expenses in connection with said trip and his attendance at said conference; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105018, recorded on Microfilm Roll No. 46, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of the City of San Diego, a quitclaim deed quitclaiming to Tirzah B. Denton certain property in Block 294 of Pacific Beach; in exchange for a deed from Tirzah B. Denton for portions of said Block 294, Pacific Beach, required by the City; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105019, recorded on Microfilm Roll No. 56, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of The City of San Diego a quitclaim deed quitclaiming to C. S. Kirchmaier certain property in Block 294 of Pacific Beach; in exchange for a deed from C. S. Kirchmaier for portions of said Block 294, Pacific beach, required by the City; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105020, recorded on Microfilm Roll No. 46, accepting the deed of Nishan T. Arabian and Mary T. Arabian, husband and wife, conveying to the City an easement for public street and highway purposes over, upon and across the Northerly 20 feet of Lot Three of Country Paradise, according to Map thereof No. 1110; setting aside and dedicating the lands therein conveyed as and for a public street, and naming the same El Cajon Boulevard; authorizing the City Clerk to forward said deed to the Union Title Insurance and Trust Company with directions that the same be filed for record in the office of the County Recorder of the County of San Diego, California, after all escrow instructions have been complied with; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 5038 (New Series), recorded on Microfilm Roll No. 45, appropriating the sum of \$19,000.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the construction of tidal gates and the reconditioning of storm drains in Mission Beach, in said City, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

ORDINANCE NO. 5039 (New Series), recorded on Microfilm Roll No. 46, appropriating the sum of \$781.00 from the Unappropriated Balance of the City of San Diego, for the purpose of providing funds for the rental of a site for the installation of a Garbage Hopper for one year, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen--None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 5040 (New Series), recorded on Microfilm Roll No. 46, appropriating the sum of \$10,000.00 from the Unappropriated Balance Fund of The City of San Diego, for the purpose of providing funds to pay the initial costs of the repair and/or replacement of the outfall sewer at the main Sewage Treatment Plant, was on motion of Councilman Swan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays--None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

RESOLUTION NO. 105021, recorded on Microfilm Roll No. 46, authorizing Paul Beermann, Acting Director of the Water Department of The City of San Diego, to attend a meeting in Sacramento, California, for the purpose of conferring with the State Engineer's Office on the matter of the transverse stresses of Sutherland Dam; authorizing him to incur all necessary expenses in connection with said trip; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105022, recorded on Microfilm Roll No. 46, authorizing and directing the City Manager to immediately employ the services of such experts as may be needed, and to undertake at once the work of ascertaining the cause of the sewage effluent discharged from one of the outlet tunnels from the sewage disposal plant; and to do any and all things reasonable and necessary to either repair said leak or replace the line to the extent that the public health hazard now existing be immediately remedied; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105023, recorded on Microfilm Roll No. 46, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, reading as follows:

"RESOLUTION NO. 105023

WHEREAS, Harry Stanley Clark, an employee and officer of The City of San Diego, died in this City on December 26, 1951; and

WHEREAS, Mr. Clark entered the City employ February 7, 1927, and ever since said time as a Deputy City Attorney has served the City faithfully, loyally, and with a devotion that has resulted in his having secured the confidence, respect and admiration of thousands of San Diego citizens; and

WHEREAS, because of his good fellowship, his generosity and his willingness at all times to not only perform the duties of his office conscientiously and faithfully, but to go beyond the requirements of such duties to aid and assist those who came in contact with him in his official position, he secured a wide circle of friends; and

WHEREAS, this Council is of the opinion that in the passing of Mr. Clark the City has not only lost the services of an able, efficient public officer, but has a vacancy in the offices of the City which be extremely difficult to fill; NOW, THEREFORE,

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

That on behalf of the officers and employees of The City of San Diego and of the people of San Diego who knew and came in contact with the late Harry Stanley Clark, this Council takes this opportunity of expressing its regret over his untimely passing, and also desires herein to extend to his widow and children their heartfelt sympathy over their loss.

AND BE IT FURTHER RESOLVED, that the City Clerk of said City be, and he is hereby directed to send certified copies of this resolution to the widow and to the children of the said Harry Stanley Clark."

At this time Councilman Dail returned and took his place on the Council.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, the Council took a recess until the hour of 2:00 o'clock P.M. this date.

Upon reassembling, at the hour of 2:00 o'clock P.M. the roll call showed as follows:

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler.

Absent-----Councilman Godfrey.

Clerk-----Fred W. Sick.

The hour of 2:00 o'clock P.M. having arrived, the time to which the hearing on Resolution No. 104353, of Preliminary Determination for the improvement of Tustin Street, between Macaulay Street and Oliphant Street, had been continued, all papers in connection with said hearing were again presented.

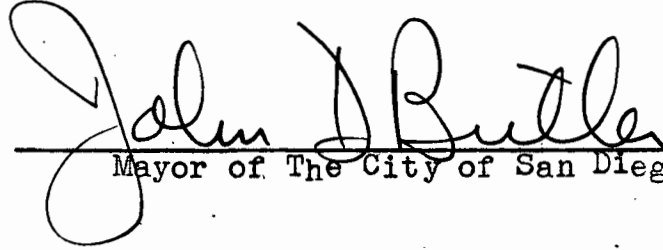
A motion was made by Councilman Kerrigan, seconded by Councilman Dail, to adopt the grade as submitted by the City Engineer.

A Roll Call on this motion showed: Yeas--Councilmen Kerrigan, Dail, Mayor Butler. Nays--Councilmen Swan, Wincote, Schneider. Absent--Councilman Godfrey.

The matter of the grades of Tustin Street, between Macaulay Street and Oliphant Street, was thoroughly discussed, Councilmen Swan, Schneider, Wincote, Dail and Mayor Butler all expressing their views. (The property had been inspected by the Councilmen during to-day's noon hour.)

Thereupon, RESOLUTION NO. 105024, recorded on Microfilm Roll No. 46, sustaining the protest of property owners filed in the office of the City Clerk under Document No. 442109, against the work of improving Tustin Street, between the northeasterly line of Macaulay Street and the southwesterly line of Oliphant Street, as described in Resolution No. 104353 of Preliminary Determination; abandoning the proceedings heretofore taken for this proposed paving work; and referring the improvement proceedings to the City Engineer for resubmission of plans at the lower line grade; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider and Dail. Nays--Councilman Kerrigan and Mayor Butler. Absent--Councilman Godfrey.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Schneider, at the hour of 2:20 o'clock P. M.

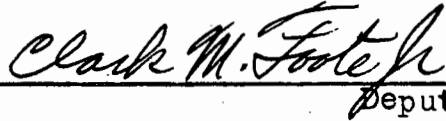


Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk

By



Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, January 10th, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:00 o'clock A.M.

Present---Councilmen Wincote, Swan, Schneider, Kerrigan, Dail, Godfrey,
Mayor Butler.

Absent----None.

Clerk-----Fred W. Sick.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of North San Diego Development Company, Incorporated, from decision of the Zoning Committee denying permission to erect a commercial warehouse of approximately 48,000 square feet in area, to be located on the west center section of the property, being approximately the East half of Lot 5, Eureka Lemon Tract, lying East of a line approximately 570 feet East of Pacific Highway and West of the Atchison, Topeka and Santa Fe Railway, and approximately 540 feet south of Balboa Avenue, in Zone R-4, all papers in connection with the matter were presented. This hearing had been continued from the meeting of January 2nd, 1952.

Mr. Norman T. Seltzer, representing the petitioner, stated that an application for re-zoning was denied; and later an application for zone variance was denied; by the Zoning Committee---hence the appeal to the City Council.

Mr. Harry Haelsig reported on behalf of the Zoning Committee. He stated that the Committee objected to "Spot Zoning" in a residential area; this property being now in Zone R-4.

The City Clerk read a report on the matter from the Senior Planning Technician.

Mr. Harry Haelsig presented a zoning map of the district. The Councilman discussed this map with Mr. Haelsig and with the applicant's representative.

Mr. R. B. Luckenbach, representing the State Highway Department, objected to a change in property values, pending the securing of rights of way for a new highway through the land under discussion. This referred to a new proposed alignment for U. S. Highway 101.

The City Attorney suggested that the hearing be continued for two or three weeks, during the appraisal period for the new road.

A Mr. Reese, owner of a motel on Section 32, Lots 11, 12 and 13, across the street from the property, was opposed to a warehouse on said property.

Mr. Nickerson, owning courts on Lots 7, 8, 9 and 10, of Section 32, objected to a permit being issued for a warehouse. It developed that these Lots 7 to 10, of Section 32, were west of the present Highway 101.

Mr. O. W. Cheney, owner of another near-by auto court, objected to a warehouse in this district.

Mr. R. B. Luckenbach spoke again relative to access roads from the new Freeway.

Mr. Albert Foster Horton, owner of a motel which he described as being "across the street" objected; and said that Seven Motel Owners all object to an M-1 zone in the vicinity of said Motels.

Mr. Clyde Hansh, for himself and a Mr. Bishop, stated the warehouse would be objectionable to existing Auto Courts.

A Mr. Rose, of 3640 Brandywine Street, objected to the proposed warehouse, or to any M-1 Zoning. He spoke of existing M-1 property for sale a little ways north of the subject property.

Mrs. Margaret Kennedy, a property owner east of the proposed warehouse site, objected to any M-1 Zoning in the area.

Councilman Godfrey thought a colored map should be presented showing all the protestants and proponents in the area.

Councilman Wincote suggested that the hearing be closed, and the matter continued for one week.

A motion was made by Councilman Dail to table the matter for one week. This motion did not receive a second.

A motion was made by Councilman Schneider, seconded by Councilman Kerrigan, to deny the appeal, and sustain the decision of the zoning committee. This motion was withdrawn.

All interested persons having been heard, RESOLUTION NO. 105025, recorded on Microfilm Roll No. 46, closing the hearing on the appeal of North San Diego Development Company, Incorporated, 4205 Pacific Highway, from the decision of the Zoning Committee indenyng by its Resolution No. 6063, application No. 10003, for variance to the provisions of Ordinance No. 100 (New Series), to erect a commercial warehouse of approximately 48,000 square feet in area, to be located on the west center section of the property, being approximately the East one-half of Lot 5, Eureka Lemon Tract, lying East of a line approximately 570 feet East of Pacific Highway and West of Atchison, Topeka and Santa Fe Railway, and approximately 540 feet south of Balboa Avenue, in Zone R-4; and continuing the final action of said appeal until 10:00 o'clock A.M., January 17, 1952; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

By unanimous consent, items relative to the Tentative Map of Loma Valley were presented at this time, as a large delegation was in attendance who wished to be heard relative to the proposed Map.

Attorney Edgar A. McNulty introduced Mr. Tom Faulconer, who commented on the protests filed in writing, and submitted maps which were distributed to the Councilmen.

Mr. Harry Haelsig stated that the subdividers request that the matter be referred back to the Planning Commission, for revision and a new recommendation after further consideration.

A Mr. Stafford, representing the subdividers explained the proposed changes on the new map.

Mr. Tom Faulconer continued his remarks. He stated that forty-five property owners attended a meeting to consider the proposed subdivision. He stated that the approximate value of lots in the district, with an area from 15,000 to 20,000 square feet, is \$4000 and up to \$5500. He objected to "mass housing development" on Gage Lane, and small lots in the proposed subdivision.

Attorney Edgar A. McNulty stated that he was building a house at the top of Gage Lane, and objected to the proposed subdivision.

"Captain" Frank Luckel objected to a layout with lots of only 5000 square feet. Frank Luckel is a California State Assemblyman.

A Mr. Justice objected to small lots in the new subdivision, and referred to the large lots built upon by old residents. He said the standards of value would be reduced by the small houses on tiny parcels of ground. Mr. Justice also cited the present wafer shortage.

City Attorney Jean DuPaul, at the request of the Mayor, outlined the existing regulations relative to subdivisions, and the "Subdivision Map Act" - Section 115.25.

Harry Haelsig explained the action of the Planning Commission on tentative subdivision maps; also action taken by the Health Department, Water Department and the City Engineer. He mentioned the Subdivision Act of 1937 and subsequent changes. He explained the reason for a 40-foot street; double-frontage lots, etc. in connection with the "Loma Valley" subdivision.

The proposed amendments to the Zoning Ordinance to permit R1A Zones of 1 acre; R1B Zones of one-half acre and R1C Zones of 10,000 square feet lots was explained by Mr. Haelsig.

Mr. Leon Scales, of 573 DuPont Street, referred to a map indicating that most existing improved lots have an area of about 21,000 square feet in this neighborhood. He said the City Council could refuse to suspend Ordinance requirements for Loma Valley Subdivision; and stated that all ordinance requirements should be enforced. His remarks aroused applause from a majority of those present. He said existing improved property has an average value of \$25,000 in this area. He pointed out that the new subdivision has lots of a maximum area of 5000 square feet, and called the new subdivision a "sub-standard" development.

At this time all protestants rose, to indicate the strength of the opposition.

Mr. William Kellogg spoke objecting to the new proposed Subdivision.

Mr. Frank Jellett, a residence owner in Pueblo Lot 172, objected to the map as presented, and suggested that the district should be re-zoned.

Mr. W. J. Stephens, living on Pueblo Lot 173, also objected.

All interested persons having been heard, on motion of Councilman Kerrigan, seconded by Councilman Swan, the matter of the Tentative Map of Loma Valley was referred back to the City Planning Commission, at the request of the subdividers.

Petition of Hi-Boots Motorcycle Club, Inc. for use of north end of Camp Callan site for a motorcycle road race on either January 27th or February 3rd, 1952; part of the proceeds to be contributed to the March of Dimes Campaign, was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, referred to the City Manager.

Petition of Property Owners for a hearing relative to the grade of the Alley in Block 11, Second Fortuna Park Addition, was presented and on motion of Councilman Kerrigan, seconded by Councilman Wincote, referred to the City Manager.

Claim of Mrs. Pearl L. Davis, in the sum of \$2,818.92, based on personal injuries at Washington Street and Cleveland Avenue, including a broken kneecap, was presented.

RESOLUTION NO. 105026, recorded on Microfilm Roll No. 46, referring the claim of Mrs. Pearl L. Davis, 4121 Cleveland Avenue, filed under Document No. 443315, to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on six bids received for furnishing Incandescent and Fluorescent lamps to the City of San Diego for a period of one year, recommending award to Blake, Moffitt & Towne of San Diego, the low bidder, was presented.

RESOLUTION NO. 105027, recorded on Microfilm Roll No. 46, accepting the bid of Blake, Moffitt & Towne of San Diego for furnishing the City's requirements of Incandescent and Fluorescent Lamps for a period of one year beginning January 1, 1952, at a discount of 45-1/2% from list on standard packaged lamps and 40-1/2% on broken packaged lamps, terms 2%, 15th prox, plus State sales tax; and in addition to furnish said lamps at the same discount to the County of San Diego; the San Diego Unified School District, and any incorporated municipality within the County of San Diego; awarding the contract therefor and instructing the City Manager to execute the same; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission, recommending suspension of seven sections of the subdivision ordinance relative to the Tentative Map of Delta Heights, was presented.

RESOLUTION NO. 105028, recorded on Microfilm Roll No. 46, suspending Sections of the subdivision ordinance numbered 3C, 3E5, 3I1, 3J6, 4A8, 6 and 5C, in connection with the Tentative Map of Delta Heights, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission recommending approval of the Tentative Map of Delta Heights, a subdivision of portions of Lots 18, 23, 24 and 25 of Wadsworth Olive Grove, into 145 lots, located on the ridge between Home Avenue and Chollas Valley, westerly of Euclid Avenue, subject to ten conditions, was presented.

RESOLUTION NO. 105029, recorded on Microfilm Roll No. 46, approving the Tentative Map of Delta Heights, subject to conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the City Planning Commission, recommending suspension of seven sections of the subdivision ordinance relative to the revised Tentative Map of North Clairemont, was presented.

RESOLUTION NO. 105030, recorded on Microfilm Roll No. 46, suspending Sections 3C, 3E5, 3J6, 3J8, 4A8, 6, and 5C of the subdivision ordinance in connection with the revised Tentative Map of North Clairemont, and as they relate to the final Map thereof, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from the City Planning Commission, recommending approval of revised Tentative Map of North Clairemont, a subdivision comprising approximately 750 residential lots, sites for junior high school, a park, an elementary school, two business areas and an area for apartment house development, lying east of Morena and north of the subdivision of Clairemont, subject to ten conditions, was presented.

RESOLUTION NO. 105031, recorded on Microfilm Roll No. 46, approving the revised Tentative Map of North Clairemont, subject to conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission, recommending suspension of three sections of the subdivision ordinance relative to the Tentative Map of Ridge View Annex, was presented.

RESOLUTION NO. 105032, recorded on Microfilm Roll No. 46, suspending Sections 4A8, 6 and 5C of the subdivision ordinance in connection with the Tentative Map of Ridge View Annex, and as they relate to the final Map thereof, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission recommending approval of the Tentative Map of Ridge View Annex, a subdivision of a portion of Lot 30 of Horton's Purchase, into 9 lots, lying immediately east of Ridge View Unit No. 1, subject to three conditions, was presented.

RESOLUTION NO. 105033, recorded on Microfilm Roll No. 46, approving the Tentative Map of Ridge View Annex, subject to conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the City Planning Commission recommending a finding by the City Council relative to the use of Lots 1 to 5, Block 72 of Middletown, for a parcel delivery station, was presented.

RESOLUTION NO. 105034, recorded on Microfilm Roll No. 46, making a finding that the use by United Parcel Service of Lots 1 through 5, Block 72 of Middletown, for a parcel delivery station is not more obnoxious or detrimental to the welfare of that particular community than other uses permitted in the "C" Zone; provided that all operations are conducted inside of the building and that all loading and unloading will be offstreet; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the San Diego Municipal Employees' Association relative to urgency of providing increases in salaries of City employees; requesting an open hearing in the evening to discuss the request for increased salaries, was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, referred to the City Manager.

Resignation of George A. Scott as a member of the City Civil Service Commission was presented. Mr. Scott had been serving as the chairman of said Commission.

RESOLUTION NO. 105035, recorded on Microfilm Roll No. 46, accepting the resignation of George A. Scott from the San Diego Civil Service Commission; and requesting the City Manager to have prepared an appropriate scroll for presentation to Mr. Scott; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Wm. E. Berry acknowledging payment of his claim for expenses incurred in replacing a broken water line at 5404 Gilbert Drive, was presented and read. On motion of Councilman Wincote, seconded by Councilman Dail, the communication was ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Inez May Olds; advising that this case was closed by payment of \$168.00; was presented and on motion of Councilman Swan, seconded by Councilman Godfrey, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Irving Solomon; advising that this case was closed by the payment of \$28.07; was presented and on motion of Councilman Swan, seconded by Councilman Godfrey, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of A. H. Bernard; advising that this case was closed without payment, was presented. On

motion of Councilman Kerrigan, seconded by Councilman Dail, the claim was denied. On checking the files, it developed that this claim had already been denied by Resolution No. 103695.

Communication from the Pacific Indemnity Company reporting on the claim of Casa de Manana Hotel; advising that this case was closed without payment, was presented. On motion of Councilman Kerrigan, seconded by Councilman Dail, the claim was denied. On checking the files, it developed that this claim had already been denied by Resolution No. 103696.

Communication from the Pacific Indemnity Company reporting on the claim of Aubrey M. Fogle; advising that this case was closed without payment, was presented. RESOLUTION NO. 105036, recorded on Microfilm Roll No. 46, denying the claim of Aubrey M. Fogle, 4279 - 48th Street, filed under Document No. 430369, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Pacific Indemnity Company reporting on the claim of Elizabeth R. Siebert; advising that this case was closed without payment, was presented.

RESOLUTION NO. 105037, recorded on Microfilm Roll No. 46, denying the claim of Elizabeth R. Siebert, 2940 B Street, filed under Document No. 437582, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105038, recorded on Microfilm Roll No. 46, authorizing the City Manager to enter into a contract with Lowell A. DeWeese and Bernardino A. DeWeese, subdividers of Vista Valencia Subdivision, providing for the installation of water mains and appurtenant structures in said subdivision, and for the reimbursement by the City of \$1,342.32 for the difference in cost of water mains, etc.; authorizing the City Auditor to issue a warrant, in the amount of \$1,342.32, payable to said subdividers; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105039, recorded on Microfilm Roll No. 46, accepting the Quitclaim Deed executed by Lowell A. DeWeese and Bernardino A. DeWeese, husband and wife, quitclaiming to The City of San Diego all water mains and appurtenant structures, either within or without the subdivision named "Vista Valencia", being Lot 61 of Las Alturas Villa Sites, and filed as Map No. 2820; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of said County Recorder; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105040, recorded on Microfilm Roll No. 46, authorizing the City Manager to execute a lease with the Young Men's Christian Association of San Diego, California, for a parcel of land between 40th Street and Boundary Street, and between Franklin Street and Ocean View Boulevard, at a nominal rental of \$1.00 per year for a term of not to exceed fifty years; under certain conditions; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105041, recorded on Microfilm Roll No. 46, accepting the subordination agreement executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee; wherein said parties subordinate all their right, title and interest in and to an easement for the right of way for the construction, operation and maintenance of a public sewer and appurtenances thereto, through, over, under, along and across a strip of land 10.0 feet in width in the easterly half of Lot 16, Ex Mission Lands of San Diego, commonly known as Horton's Purchase, according to Map No. 283 thereof; authorizing the City Clerk to file the said subordination agreement, together with a certified copy of this resolution, for record in the office of said County Recorder; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105042, recorded on Microfilm Roll No. 46, accepting the subordination agreement executed by First Federal Savings and Loan Association of San Diego, beneficiary, and Fidelity and Guaranty Company, trustee; wherein said parties subordinate all their right, title and interest in and to the easement for the right of way for the construction, operation and maintenance of a public sewer and appurtenances thereto, through, over, under, along and across the southerly 30.0 feet of Lot 269, Talmadge Park Unit No. 2; authorizing the City Clerk to file the said subordination agreement, together with a certified copy of this resolution, for record in the office of the County Recorder of San Diego County, California, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105043, recorded on Microfilm Roll No. 46, accepting the deed of Mrs. Eva Tifal, William J. Hiltz and Mrs. Mae Young, executed in favor of The City of San Diego, conveying to said City a portion of the South Half of Lot 29 of The Highlands, according to Map thereof No. 284; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105044, recorded on Microfilm Roll No. 46, accepting the

deed of Joseph Taramasco and Josephine Victoria Taramasco, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes, through, along and across Parcels 1 and 2 of Lot "B" of Pueblo Lot 285 of the Pueblo Lands of The City of San Diego; setting aside and dedicating to the public use as and for public streets, the land therein conveyed; naming the portion therein designated as Parcel 1 MORENA BOULEVARD; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105045, recorded on Microfilm Roll No. 46, accepting the deed of Mary Green executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across all of Lots 1 and 2, Block 7, Stratford Park Addition, according to Map thereof No. 1541; setting aside and dedicating the land therein conveyed to the public use as and for a public street; and naming the same WABASH BOULEVARD; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105046, recorded on Microfilm Roll No. 46, accepting the deed of James W. Woodhouse and Maxine S. Woodhouse, husband and wife, as joint tenants, granting the City of San Diego an easement for the right of way for a public street and incidents thereto, through, over, under, along and across all that portion of Lots 39 and 40, Block 29, Fortuna Park, according to Map No. 894, particularly described in said deed; setting aside and dedicating the lands therein described as and for a public street; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of said County Recorder; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105047, recorded on Microfilm Roll No. 46, accepting the deed of Jean N. Davis, a.k.a. Jean Nadine Davis, and Carl O. Davis, executed in favor of The City of San Diego, conveying to said City an easement and right of way for retaining wall purposes through, along and across a portion of Lots 3 and 4, Block 19, Ocean Beach, according to Map thereof No. 279; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this Resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105048, recorded on Microfilm Roll No. 46, accepting the deed of Fred W. Boettcher and K. Jean Boettcher, husband and wife, as joint tenants, granting to The City of San Diego an easement for the right of way for the construction, operation and maintenance of a public sewer and appurtenances thereto, through, over, under, along and across the southerly 30.00 feet of Lot 269, Talmadge Park Unit No. 2, according to Map thereof No. 1878; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of said County Recorder; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105049, recorded on Microfilm Roll No. 46, accepting the deed of Ernest H. Damarus, and Viasta M. Damarus, husband and wife, granting to the City of San Diego an easement for the right of way for construction, operation and maintenance of a public sewer and appurtenances thereto, through, over, under, along and across that portion of Lot 273, Talmadge Park Unit No. 2, according to Map thereof No. 1878, particularly described in said deed; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of said County Recorder; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105050, recorded on Microfilm Roll No. 46, accepting the deed of Leon E. Goodman and Esther E. Goodman, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 20, Block 2, Stephens Addition, according to the Map thereof No. 964; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105051, recorded on Microfilm Roll No. 46, accepting the deed of Charlie L. Hudson and Mabel M. Hudson, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 3, Ocean View Heights, according to Map thereof No. 1341; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this Resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105052, recorded on Microfilm Roll No. 46, accepting the deed of E. G. Merrill, Jr., also known as Elwood G. Merrill, Jr. and Alice L. Merrill, husband and wife, granting to The City of San Diego an easement for the purpose of a right of way for the construction, operation and maintenance of a public sewer and appurtenances thereto, through, over, under, along and across those portions of Lots 257

through 266, Talmadge Park Unit No. 2, in the City of San Diego, according to Partition Map thereof No. Case 348, in the Superior Court of the State of California, in and for San Diego County, particularly described in said deed; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105053, recorded on Microfilm Roll No. 46, accepting the deed of Russell H. Segel and Stephenie Segel, husband and wife, granting to The City of San Diego an easement for the right of way for the construction, operation and maintenance of a public sewer and appurtenances thereto, through, over, under, along and across a strip of land 10.0 feet in width in the Easterly Half of Lot 16, Ex-Mission Lands of San Diego, commonly known as Horton's Purchase, according to Map No. 283 thereof, as particularly described in said deed; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of said County Recorder; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105054, recorded on Microfilm Roll No. 46, accepting the deed of easement executed by Frank E. Wilkes, Jr. and Jean M. Wilkes, husband and wife, as joint tenants, granting to The City of San Diego an easement and right of way for the construction and maintenance of a sewer line through, over, under, along and across the easterly 4.0 feet of the westerly 60.0 feet of the northerly 100.00 feet of Lot "B", Block 7, Las Alturas No. 3, in the City of San Diego, according to Map thereof No. 1988; authorizing and directing the City Clerk of said City to file the said deed, together with a certified copy of this resolution, for record in the office of said County Recorder; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105055, recorded on Microfilm Roll No. 46, accepting the deed of James C. Willson, a married man, conveying an interest in his sole and separate property, executed on the 14th day of November, 1951, granting to The City of San Diego an easement and right of way for the construction, operation and maintenance of a public sewer and appurtenances thereto, through, over, under, along and across the southerly 20.0 feet of Lot 270 and the southerly 20.0 feet of the westerly half of Lot 271, Talmadge Park Unit No. 2, according to the Map thereof No. 1878; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of said County Recorder; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105056, recorded on Microfilm Roll No. 46, accepting the deed of Leslie Gould, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 10, Lemon Villa, according to the Map thereof No. 734; authorizing and directing the City Clerk of said City to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

A proposed Resolution authorizing a lease with the La Jolla Town Council, Inc. for the leasing of Lots 36, 37, 38, 39 and 40, Block 32 of La Jolla Park, Map No. 352, together with the building, furnishings and equipment thereon situated, at an annual rental of \$100.00 per year, payable on July 1st of each year, plus an additional percentage rental, for a period of five years beginning July 1, 1951, upon the terms and conditions as set out in the form of said lease; which said real property has a value of \$50,000.00, as disclosed by report of the last appraisal made by the City Auditor; and which land is being leased for the reason that the City will derive revenue therefrom not otherwise obtainable; was presented.

The advisability of entering into the proposed lease was discussed by Councilman Godfrey; who suggested the matter should be again discussed in Conference at 9:00 A.M. next Tuesday.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, the proposed Resolution authorizing the lease with the La Jolla Town Council was continued for one week.

ORDINANCE NO. 5041, (New Series), recorded on Microfilm Roll No. 46, establishing the grade of 46th Street, in the City of San Diego, California, between the south line of Ocean View Boulevard and the north line of Ocean View Boulevard, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5042, (New Series), recorded on Microfilm Roll No. 46, establishing the grade of Ingraham Street, in the City of San Diego, California, between the Northerly Boundary Line of Crown Point, according to Map No. 1891 on file in the Office of the County Recorder of San Diego County, California, and the northerly line of Moorland Drive, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

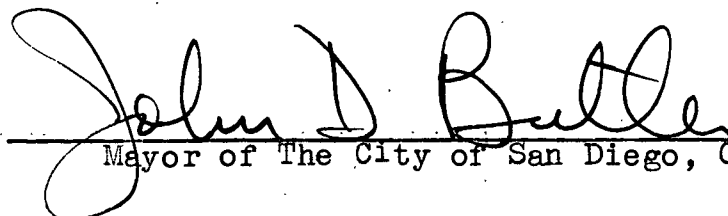
Thereupon, on motion of Councilman Dail, seconded by Councilman Godfrey, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

The following matters were presented by unanimous consent, on motion of Councilman Wincote, seconded by Councilman Godfrey:

RESOLUTION NO. 105057, recorded on Microfilm Roll No. 46, authorizing John D. Butler, Mayor of The City of San Diego, to attend a meeting in Los Angeles, on Friday, January 11, 1952, at which meeting Manley Fleischman is addressing all of the Mayors of California; authorizing him to incur all expenses necessary in connection with said trip; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105058, recorded on Microfilm Roll No. 46, determining and declaring that the Public Interest, Convenience and Necessity of The City of San Diego require the construction, operation and maintenance of a Public Freeway, i.e., a limited access highway, to be known as Morena Boulevard, across portions of Blocks 381, 383, and 394 of Old San Diego; portions of Lots 30, 31 and 32, Block 3, of Vernon Park, and portions of Pueblo Lots 284 and 285 of the Pueblo Lands of San Diego; and that the Public Interest, Convenience and Necessity demand the acquisition of the land to be used by said City for construction of said public Freeway within the area aforesaid; and declaring the Intention of the City of San Diego to acquire said lands under Eminent Domain Proceedings; and directing the City Attorney of The City of San Diego to commence an action in the Superior Court of the County of San Diego, State of California, for the purpose of condemning said lands; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 12:25 o'clock P.M., on motion of Councilman Godfrey, seconded by Councilman Dail.



Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By



Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, January 15th, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:00 o'clock A.M.

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

The Minutes of the Regular Meeting of Tuesday, January 8th, 1952, and the Regular Meeting of Thursday, January 10th, 1952, were presented to the Council by the Clerk.

On motion of Councilman Swan, seconded by Councilman Wincote, said Minutes were approved without reading, after which they were signed by the Mayor.

As a Special Order of Business the Mayor presented service pins as follows:
To Bernard J. Bertsch, Police Sergeant, Police Department, for 20 years' service. The Mayor read a short citation in connection with this presentation.
To LeRoy G. Sewell, Construction and Maintenance Foreman II, Street Division, Public Works Department, for 30 years' service.
Vincent T. Godfrey, City Councilman, for 5 years' service as Councilman from the Sixth District.

A determination as to whether or not collateral contract should be executed and approval thereof submitted to vote of qualified electors of The City of San Diego, relative to "Second Barrel" for transportation of Colorado River Water was considered at this time.

The Mayor announced that this was a Public Hearing, and inquired if any interested persons were present who desired to be heard.
No protestants having appeared, and all interested persons having been heard, RESOLUTION NO. 105059, recorded on Microfilm Roll No. 46, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted, reading as follows:

"RESOLUTION NO. 105059.

WHEREAS, this Council has heretofore authorized the City Clerk of The City of San Diego to publish a notice to the effect that the Council proposes on the 15th day of January, 1952, to take final action upon the adoption or rejection of a resolution authorizing the Manager of said City to enter into a certain collateral agreement with the United States of America, entitled, "Contract NOy-13300. Collateral Agreement to Supplemental Agreement No.4 between the United States of America and San Diego County Water Authority," a copy of which agreement is on file in the office of the City Clerk of said City under Document No. 442498; and

WHEREAS, said City Clerk did cause a notice to be published at least two weeks prior to the said 15th day of January, 1952, and that now said resolution is before this legislative body for either adoption or rejection; NOW, THEREFORE,

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

That the City Manager be, and he is hereby authorized and directed to execute on behalf of The City of San Diego that certain collateral agreement with the United States of America, represented by the Chief of the Bureau of Yards and Docks of the Navy Department, entitled, "Contract NOy-13300. Collateral Agreement to Supplemental Agreement No. 4 between the United States of America and San Diego County Water Authority," a copy of which agreement is on file in the office of the City Clerk of said City under Document No. 442498, which said contract, even though executed will not be binding upon the City until it shall have been first approved by a two-thirds majority of the qualified electors of said City voting upon the question of approving said contract.

Passed and adopted by the said Council of the said City of San Diego, California, this 15th day of January, 1952, by the following vote, to-wit:
Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen--None. Absent--Councilman Schneider."

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids ~~for the receiving of bids~~ for the construction of sewer replacement and connections from Crown Point Pumping Station northeasterly to Pendleton Street, under Specification No. 211 (W. O. 20857) the Clerk reported that three bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Walter H. Barber, accompanied by a bond from the Hartford Accident and Indemnity Company in the sum of ten percentum of the amount of the accompanying bid, which bid was given Document No. 443547;

The bid of Chas. J. Dorfman, accompanied by a bond from the Saint Paul Mercury Indemnity Company in the sum of ten percent of the amount of the bid, which bid was given Document No. 443548;

The bid of R. A. Wattson Co., accompanied by a bond from the United Pacific Insurance Company in the sum of 10% of the aggregate of the bid, which bid was given Document No. 443549.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Adams Avenue Lighting District No. 1, for a period of one year, from and including October 13th, 1951, in accordance with Engineer's Report and Assessment for Adams Avenue Lighting District No. 1, filed in the office of the City Clerk, the Clerk reported that one bid had been received, which bid was presented to the Council.

Thereupon, on motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by a certified check in the sum of \$79.20; which bid was given Document No. 443550.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Midway Drive Lighting District No. 1, for a period of one year, from and including October 1, 1951, in accordance with Engineer's Report and Assessment for Midway Drive Lighting District No. 1, filed in the office of the City Clerk, the Clerk reported that one bid had been received, which bid was presented to the Council.

Thereupon, on motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by a certified check in the sum of \$192.96; which bid was given Document No. 443551.

On motion of Councilman Dail, seconded by Councilman Godfrey, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Roseville Lighting District No. 1, for the period of one year, from and including October 15th, 1951, in accordance with Engineer's Report and Assessment for Roseville Lighting District No. 1, filed in the office of the City Clerk, the Clerk reported that one bid had been received, which bid was presented to the Council.

Thereupon, on motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by a certified check in the sum of \$52.50; which bid was given Document No. 443552.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 104662, for the paving and otherwise improving of the Alleys in Blocks 96, 97, 99, 100, 103, 104 and 107, Mission Beach; Santa Barbara Place, Mission Boulevard, Ventura Boulevard and Public Rights of Way, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 104664, for the paving and otherwise improving of Ninth Avenue, between the north line of Johnson Avenue and a line parallel to and distant 290.00 feet northerly from the north line of Johnson Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Kerrigan, seconded by Councilman Swan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 104665, for the paving and otherwise improving of Thomas Avenue, between the westerly line of Gresham Street and the westerly line of Jewell Street; and a portion of Reed Avenue, between the westerly line of Ingraham Street and the westerly line of Jewell Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Kerrigan, seconded by Councilman Dail, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on a proposed Ordinance Incorporating Lots A to F, Block 231, Horton's Addition in the City of San Diego, California, into "R-4" Zone as defined by Ordinance No. 8924 of the Ordinances of said City and amendments thereto; and repealing Ordinance No. 3037 (New Series), adopted July 17, 1945; the hearing having been continued from the meeting of January 8th, 1952; said proposed Ordinance and all papers in connection therewith were presented.

The report from the City Planning Commission was read by the Clerk.

Councilman Wincote stated certain persons would like to lease the entire block for an automobile parking area.

A motion was made by Councilman Wincote, seconded by Councilman Swan, to refer the matter back to the City Planning Commission regarding the advisability of establishing a "CP" Zone for the entire block.

Mr. Elmer Hartman spoke, and asked questions about automobile parking in this block; also, questions relative to parking lots on El Cajon Avenue. He made several statements relative to comparative assessed values in the downtown section and the north-east part of town. He considered taxes on El Cajon Avenue frontage to be excessive.

After hearing Mr. Hartman, a roll call on the motion showed all members present voting "Yea".

Claim of J. A. Koenig, 5327 Electric Avenue, La Jolla, based on damage to his automobile when a large tree fell in front of the La Jolla Post Office, damaging said vehicle, in the amount of \$75.00, was presented.

RESOLUTION NO. 105060, recorded on Microfilm Roll No. 46, referring said claim to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Claim of Charles A. Smith, 522 Midway Street, La Jolla, based on damage to his house at 522 Midway Street, La Jolla, when the residence was flooded with sewage, in the amount of \$278.96, was presented.

RESOLUTION NO. 105061, recorded on Microfilm Roll No. 46, referring said claim to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on three bids received for construction of storm drain in Una Street and Cottonwood Street, was presented.

RESOLUTION NO. 105062, recorded on Microfilm Roll No. 46, accepting the bid of V. R. Dennis Construction Company for construction of Storm Drain in Una Street and Cottonwood Street, in Block B, Arlington, for the City of San Diego, for the sum of \$7,238.80; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on two bids received for covering of expansion joints in the concrete lining of Bayview Reservoir, was presented.

RESOLUTION NO. 105063, recorded on Microfilm Roll No. 46, accepting the bid of J. P. Witherow for covering of expansion joints in the concrete lining of Bayview Reservoir, for the City of San Diego, for the price of \$2867.00; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on eight bids received for furnishing eighty arm chairs, was presented.

RESOLUTION NO. 105064, recorded on Microfilm Roll No. 46, accepting the bid of Nelson-Thomas & Company to furnish the Harbor Department, of The City of San Diego with eighty (80) arm chairs, at a price of \$30.76 each, plus sales tax; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on two bids received for furnishing 120 lengths of 10" x 3' bell joint reinforced concrete sewer pipe, and 55 lengths of 18" x 8' T & G, Class 2000-D centrifugally spun reinforced concrete pipe, was presented.

RESOLUTION NO. 105065, recorded on Microfilm Roll No. 46, accepting the bid of the American Pipe and Construction Company to furnish the Harbor Department of The City of San Diego with 120 lengths of 10" x 3' bell joint unreinforced concrete sewer pipe at a price of \$0.62 per lineal foot, plus sales tax; and 55 lengths of 18" x 8' T & G, Class 2000-D centrifugally spun reinforced concrete pipe at a price of \$2.85 per lineal foot, plus sales tax; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on three bids received for furnishing two Power Lawn Mowers for the Park Department, was presented.

RESOLUTION NO. 105066, recorded on Microfilm Roll No. 46, accepting the bid of Yazoo Sales Company to furnish The City of San Diego with two Locke Triplex 75" Mowers for the Park Department, for the sum of \$1,050.00 each plus State Sales Tax; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, approved by the City Manager,

reporting on five bids received for construction of connecting sewer from La Jolla Country Club Heights to Dellcrest Lane, was presented.

RESOLUTION NO. 105067, recorded on Microfilm Roll No. 46, accepting the bid of Cameron Brothers Construction Company of San Diego for construction of Connecting Sewer from La Jolla Country Club Heights to Dellcrest Lane, for the City of San Diego, for the sum of \$4,944.60; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105068, recorded on Microfilm Roll No. 46, approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the installation of Morena Bridge Water Line, San Diego, California, bearing Document No. 443477; approving the wage scale contained in said specifications; authorizing and directing the Purchasing Agent to proceed to publish notice calling for bids for the work in accordance with said plans and specifications; was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105069, recorded on Microfilm Roll No. 46, approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for furnishing and installing traffic signals and safety lights at 30th and C Streets, 16th and C Streets, 18th and B Streets, 12th and B Streets, and 8th and Broadway, San Diego, California, bearing Document No. 443480; approving the wage scale contained in said specifications; authorizing and directing the Purchasing Agent to proceed to publish notice calling for bids for the work in accordance with said plans and specifications; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105070, recorded on Microfilm Roll No. 46, approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for furnishing and installing the construction of the University Heights North Reservoir, located between Oregon and Idaho Streets, south side of El Cajon Boulevard, San Diego, California, bearing Document No. 443481; approving the wage scale contained in said specifications; authorizing and directing the Purchasing Agent to proceed to publish notice calling for bids for the work in accordance with said plans and specifications; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, recommending the installation, without bids, of underground electric service cables between the Power Company transformer vaults and the main switchboard of the Administration Building, Lindbergh Field, was presented.

RESOLUTION NO. 105071, recorded on Microfilm Roll No. 46, authorizing and directing the Purchasing Agent to order the installation of the underground electric service cables between the Power Company transformer vaults and the main switchboard of the Administration Building, at Lindbergh Field, by the San Diego Gas & Electric Company, without advertising for bids therefor, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting the sale at auction of automotive equipment belonging to the Public Works Department, which was no longer desirable for use or retention by the City; said sale being made to thirteen bidders for a total price of \$2,683.51, including sales tax; was presented and on motion of Councilman Kerrigan, seconded by Councilman Wincote, ordered filed.

At this time a majority of the members of the City Council signed a contract with the San Diego Gas & Electric Company for the furnishing of electric current for the lighting of the ornamental street lights located on or along the streets in University Avenue Lighting District No. 3, for a period of one year from and including August 7, 1951.

Communication from the City Manager reporting on requests from Local 127 of the San Diego County and Municipal Employees requesting the establishment of a health and welfare plan for City employees similar in benefits to the one adopted for the San Diego Transit Company employees last year, was presented and read. This communication stated that the City Attorney has advised that a Charter revision or amendment would be required in order to provide a health and welfare plan financed either totally or in part by the City and providing benefits for either the employees only or for both employees and dependents.

On motion of Councilman Kerrigan, seconded by Councilman Dail, all communications on the subject were ordered filed.

Communication from the City Manager recommending filing the protest of property owners against the slow work being done on the paving of Mohawk Street, between 67th and 73rd Streets, was presented; and on motion of Councilman Kerrigan, seconded by Councilman Dail, ordered filed, together with the original protest.

Communication from the City Manager recommending filing communication from Mr. and Mrs. C. S. Brown relative to the delay in starting the work under the

contract for the improvement of the 3900 Block on Orchard Avenue, was presented and on motion of Councilman Dail, seconded by Councilman Kerrigan, ordered filed; together with the communication from Mr. and Mrs. C. S. Brown.

Communication from the City Engineer, approved by the City Manager, recommending that proceedings authorized by Resolution No. 104581 be abandoned, for the closing of a portion of the Alley in Block 115 of Morena, was presented.

RESOLUTION NO. 105072, recorded on Microfilm Roll No. 46, abandoning the proceedings heretofore taken under Resolution No. 104581, in connection with the closing of a portion of the Alley in Block 115 of Morena, as recommended by the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the San Diego Chapter - The American Institute of Architects, offering services in the review of the City "Sign" Ordinance, was presented, and on motion of Councilman Kerrigan, seconded by Councilman Dail, referred to the City Manager.

Copy of communication from Keith Atherton to the City Manager relative to renewal terms of the Mission Beach Coaster Company lease was presented, and on motion of Councilman Kerrigan, seconded by Councilman Dail, referred to the City Manager.

Communication from Louis Ballinger relative to claim rejected by the Pacific Indemnity Company on which he was awarded \$44.50 in the Small Claims Court, was read and on motion of Councilman Dail, seconded by Councilman Kerrigan, referred to the City Attorney.

Communication from Federated Sportsmen of San Diego County relative to completion of dredging of the Mission Bay Channel was read and on motion of Councilman Kerrigan, seconded by Councilman Wincote, ordered filed.

Communication from Ed Fletcher submitting a map showing surveys, rights of way, the cut and fill, and location of the tunnel from Sutherland Dam through the San Vicente watershed to the diverting dam on the San Diego River, was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, referred to the City Manager. The letter from Ed Fletcher stated that the map is being sent to Mr. Paul Beerman, (of the Water Development Department).

Communication from the Pacific Indemnity Company recommending denial of the claim of Jerome Bilyeu was presented.

RESOLUTION NO. 105073, recorded on Microfilm Roll No. 46, denying the claim of E. Jerome Bilyeu, c/o Frank H. Nottbusch, Jr., San Diego Trust & Savings Building, filed under Document No. 441177, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105074, recorded on Microfilm Roll No. 46, directing notice of filing of assessment for paving and otherwise improving the Alleys in Block 1, Ocean View, and Block 1, Sunset Grove; and Brighton Avenue, under Resolution of Intention No. 102544, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105075, recorded on Microfilm Roll No. 46, directing notice of filing of assessment for paving and otherwise improving of 51st Street, between Orange Avenue and Polk Avenue, under Resolution of Intention No. 101047, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105076, recorded on Microfilm Roll No. 46, directing notice of filing of assessment for paving and otherwise improving of Oliver Avenue and Reed Avenue, under Resolution of Intention No. 101715, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 105077, recorded on Microfilm Roll No. 46, awarding to John B. Henry the contract for paving and otherwise improving of the Alley in Block 41, Ocean Beach, and Ebers Street, within the limits and as particularly described in Resolution of Intention No. 104264, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 105078, recorded on Microfilm Roll No. 46, awarding to T. B. Penick & Sons the contract for paving and otherwise improving of the Alley in Block 3, Wilshire Place, and Meade Avenue, within the limits and as particularly described in Resolution of Intention No. 104265, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 105079, recorded on Microfilm Roll No. 46, awarding to R. E. Hazard Contracting Co., a corporation, the contract for paving and otherwise improving of Palermo Drive, and Alcott Street, within the limits and as particularly described in Resolution of Intention No. 104266, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF AWARD NO. 105080, recorded on Microfilm Roll No. 46, awarding to the San Diego Gas & Electric Company the contract for furnishing of electric current for La Jolla Shores Lighting District No. 1, for the period of one year from and including September 15, 1951, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105081, recorded on Microfilm Roll No. 46, approving the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of the Alley in Block 2, Ocean Beach; and the Alley in Block 27, Ocean Beach; within the limits and as particularly described in said Resolution; approving Plat No. 2308, showing the exterior boundaries of the district to be included for the assessment for the work and improvement upon the said Alleys; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105082, recorded on Microfilm Roll No. 46, approving the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of E Street, between the westerly line of 30th Street and a line parallel to and distant 270.00 feet westerly from the westerly line of 30th Street, under Document No. 443128; within the limits and as particularly described in said Resolution; approving Plat No. 2282, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said Street; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105083, recorded on Microfilm Roll No. 46, approving the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of 51st Street, between the northerly line of Trojan Avenue and the southerly line of El Cajon Boulevard; and the Alley in Block 42, Tract 1368, between the northerly line of Trojan Avenue and the southerly line of El Cajon Boulevard, under Document No. 443134; within the limits and as particularly described in said Resolution; approving Plat No. 2301, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said Street and Alley; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105084, recorded on Microfilm Roll No. 46, approving the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of Locust Street, between the northeasterly line of Garrison Street and the southwesterly line of Keats Street, under Document No. 443130; within the limits and as particularly described in said Resolution; approving Plat No. 2307, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said Street; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 105085, recorded on Microfilm Roll No. 46, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 1, for a period of one year from and including December 1, 1951, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 105086, recorded on Microfilm Roll No. 46, for the furnishing of electric current for the lighting of the ornamental street lights located in Montemar Lighting District No. 1, for a period of one year from and including December 16, 1951, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Mr. Elmer Hartmen spoke at this time, and objected to the working of proceedings for street lighting. He said the notices of improvement posted were misleading and that no "Improvement" was involved in continuing the lighting in a district for another year. It was pointed out that the proceedings were handled in compliance with State Law, and that the City Council had no authority to change the wording on notices of improvement posted once each year in every Lighting District.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105087, recorded on Microfilm Roll No. 46, for the paving and otherwise improving of the Alleys in Blocks 2 and 27, Ocean Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105088, recorded on Microfilm Roll No. 46, for the paving and otherwise improving of that portion of E Street, between the westerly line of 30th Street and a line parallel to and distant 270.00 feet westerly, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105089, recorded on Microfilm Roll No. 46, for the paving and otherwise improving of 51st Street, between the northerly line of Trojan Avenue and the southerly line of El Cajon Boulevard; and the Alley in Block 42, Tract 1368; within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105090, recorded on Microfilm Roll No. 46, for the paving and otherwise improving of Locust Street, between the northeasterly line of Garrison Street and the southwesterly line of Keats Street; within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105091, recorded on Microfilm Roll No. 46, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work of paving and otherwise improving the Alley in Block 149, University Heights, within the limits and as particularly described in Resolution of Intention No. 103515, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105092, recorded on Microfilm Roll No. 46, granting property owners permission to grade a portion of Conde Street, between Pine Street and Fort Stockton Drive, by private contract, in accordance with plans and specifications contained in Document No. 442465; was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105093, recorded on Microfilm Roll No. 46, granting property owners permission to construct driveways by ~~private contract~~ on Normal Street, northerly of Campus Street, Education Center, by private contract, in accordance with plans and specifications contained in Document No. 443083, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105094, recorded on Microfilm Roll No. 46, declaring the Alley in Block 39, La Jolla Park, which block is bounded by Girard Avenue and Herschel Avenue and by Wall Street and Silverado Street, to be a one-way Alley, for southbound traffic only; authorizing the installation of the necessary signs and markings; was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105095, recorded on Microfilm Roll No. 46, authorizing and empowering the City Manager to do all the work in connection with the relocation of the softball lights at the Horace Mann Playground, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105096, recorded on Microfilm Roll No. 46, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations in said City:

Georgia Street at Adams Avenue;
62nd Street at Brooklyn Avenue;
Froude Street at Orchard Street;
Froude Street at Pescadero Avenue;
Circle Drive, midblock;
Edgemont Street at Elm Street;

all in accordance with the recommendation of the City Manager.

RESOLUTION NO. 105097, recorded on Microfilm Roll No. 46, authorizing and directing the City Manager to make application to the County Board of Supervisors for an option to purchase certain tax-deeded lands, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said lands were described as:
Lots 15 to 20 incl., Blk. 123, Choate's Addition;
Lots 29 to 35 incl., Blk. 123, Choate's Addition;
Lots 41 to 47 incl., Blk. 123, Choate's Addition;
Lots 17 to 22, incl., Blk. 147, Choate's Addition.

RESOLUTION NO. 105098, recorded on Microfilm Roll No. 46, authorizing and directing the City Manager to make application to the County Board of Supervisors for an option to purchase certain tax-deeded lands, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said lands were described as:
Lots 10 to 14 inclusive, Block 258, University Heights.

RESOLUTION NO. 105099, recorded on Microfilm Roll No. 46, authorizing and empowering the City Manager to enter into a lease for and on behalf of The City of San Diego with William E. Derbonne, for stock grazing and/or agricultural purposes, covering a portion of Pueblo Lot 1360, and running for a term of five years, at an annual rental of \$66.00; upon terms and conditions set out in form of said lease on file under Document No. 443500; with a real property value of \$1320 according to the last appraisal made by the City Auditor; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105100, recorded on Microfilm Roll No. 46, authorizing A. George Fish, Public Works Department, to attend the California Industrial Safety Conference, to be held in San Francisco February 18th and 19th, 1952; authorizing all expenses necessary in connection with said trip; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105101, recorded on Microfilm Roll No. 46, authorizing J. E. Reading, Traffic Engineer, V. A. Parker, Assistant Director of Public Works, A.K. Fogg, City Engineer, Albert McKee, Engineering Department, Richard Gallagher, Director of Public Works, and Capt. William Thein, of the Police Department, to attend the Fourth California Street and Highway Conference, to be held in Los Angeles on February 6th, 7th and 8th, 1952; authorizing all expenses necessary in connection with said trip; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105102, recorded on Microfilm Roll No. 46, authorizing M. E. Sloper, Assistant Purchasing Agent, to attend the annual conference of California State, County and Municipal Purchasing Agents' Association to be held in Riverside on January 31st, February 1st and 2nd, 1952; and to incur necessary expenses in connection therewith; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

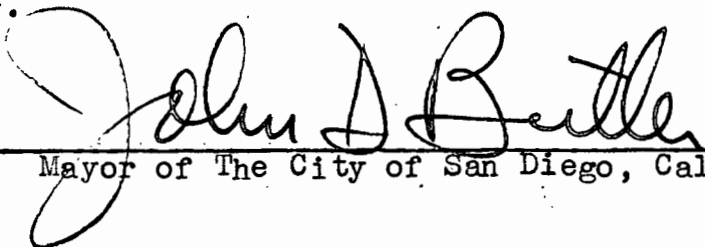
RESOLUTION NO. 105103, recorded on Microfilm Roll No. 46, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of the City, a deed granting to Ruth Haller Ottaway Sokoloff, wife of Nicholai Sokoloff, as her sole and separate property, all that real property situate in The City of San Diego, County of San Diego, State of California, consisting of a portion of Lot 16, in La Jolla Hills, according to Map thereof No. 1479, as fully described in said Resolution; also, Slope Rights in said Lot 16, La Jolla Hills; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

ORDINANCE NO. 5043, New Series, recorded on Microfilm Roll No. 46, changing the name of a portion of Wabaska Drive to WARRINGTON STREET, changing the name of a portion of Warrington Street to Wabaska Drive, and changing the name of a portion of Tennyson Street to WABASKA DRIVE, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

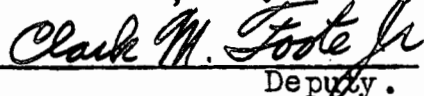
RESOLUTION NO. 105104, recorded on Microfilm Roll No. 46, approving the request of Guy F. Atkinson Company, contained in Change Order No. 1, for an extension of time of 42 days, to-wit, to and including February 16, 1952, heretofore filed as Document No. 443588, in which to complete its contract for the construction of Sunset Cliffs Boulevard Bridge, under contract contained in Document No. 431315; and extending the time of completion under said contract to February 16, 1952; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 12:25 o'clock P.M., on motion of Councilman Kerrigan, seconded by Councilman Godfrey.


 Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk

By 
 Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, January 17th, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:05 o'clock A.M.

Present---Councilmen Wincote, Swan, Schneider, Kerrigan, Dail, Godfrey,
Mayor Butler.

Absent----None.

Clerk-----Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the appeal of Ben and Bertha Solomon from the decision of the Zoning Committee denying permission to construct a duplex with a seven foot setback on the West 75 feet of Lots 1, 2 and 3, Block 102, City Heights, at the southeast corner of Myrtle Avenue and 43rd Streets, in Zone R-4; all papers in connection with the matter having been referred back to the Zoning Committee for consideration and further report on January 2nd, 1952; the appeal was again considered.

The City Clerk reported that due to sickness of members, and the lack of a quorum, the Zoning Committee has not held a meeting since January 2nd; the next session being scheduled for January 23rd.

No further report having been submitted by the Zoning Committee, for the reasons mentioned above, on motion of Councilman Kerrigan, seconded by Councilman Wincote, the hearing was continued for one week; until Thursday, January 24th, at the hour of 10:00 o'clock A.M., by RESOLUTION NO. 105105, recorded on Microfilm Roll No. 46.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the appeal of the North San Diego Development Company from the decision of the Zoning Committee denying permission to erect a commercial warehouse of approximately 48,000 square feet in area, to be located on the west center section of the property, being the East half of Lot 5, Eureka Lemon Tract, lying east of a line approximately 570 feet east of Pacific Highway and west of A. T. and Santa Fe Railway, about 540 feet south of Balboa Avenue, in Zone R-4, all papers in connection with the matter were presented.

The hearing was declared closed on January 10th, 1952, and final action set for to-day.

Without further discussion, Resolution No. 105106, recorded on Microfilm Roll No. 46, overruling the appeal of the North San Diego Development Company, Incorporated, 4205 Pacific Highway, San Diego, from the decision of the Zoning Committee in denying by its Resolution No. 6063, application No. 10003, for variance to the provisions of Ordinance No. 100 (New Series), to erect a commercial warehouse of approximately 48,000 square feet in area, to be located on the west center section of the property, being approximately the East one-half of Lot 5, Eureka Lemon Tract, lying East of a line approximately 570 feet East of Pacific Highway and West of the Atchison, Topeka and Santa Fe Railway, and approximately 540 feet South of Balboa Avenue, Zone R-4; sustaining the said Zoning Committee decision; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Godfrey and Mayor Butler. Nays--Councilmen Wincote and Dail. Absent--None.

Claim of E. Jerome Bilyeu, 3030 Grape Street, San Diego, contained in Document No. 443581, based on personal and property damage resulting from a traffic accident near the intersection of Ash Street and Cabrillo Freeway, involving a City-owned automobile, for a sum of \$104,090.50; was presented.

RESOLUTION NO. 105107, recorded on Microfilm Roll No. 46, referring said claim of E. Jerome Bilyeu to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Claim of Elizabeth Budrow, 2574 Sumac Drive, San Diego, contained in Document No. 443543, based on personal damages caused by falling over a wooden stake, set by employees of the City Engineer's office; including property damage to stockings amounting to \$1.35; was presented.

RESOLUTION NO. 105108, recorded on Microfilm Roll No. 46, referring said claim of Elizabeth Budrow to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Claim of Margaret N. Dodds, 4249 Boundary Street, San Diego, based on damage to her automobile while parked on Polk Avenue; between 35th Street and Wilson Avenue, by a Park Department truck, for an estimated sum of \$27.90; was presented.

RESOLUTION NO. 105109, recorded on Microfilm Roll No. 46, referring said claim of Margaret N. Dodds to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on five bids received for resurfacing of National Avenue, from 12th to 26th Street; Main Street, from Sigsbee to 28th Street; and 47th Street, from Federal Boulevard to a point approximately 2000 feet south of the south line of Logan Avenue; was presented.

RESOLUTION NO. 105110, recorded on Microfilm Roll No. 46, accepting the bid of Griffith Company for resurfacing 47th Street, for the City of San Diego, from Federal Boulevard to a point approximately 2000 feet south of the south line of Logan

Avenue, for the sum of \$19,710.90; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105111, recorded on Microfilm Roll No. 56, accepting the bid of Daley Corporation for resurfacing National Avenue and Main Street for the City of San Diego for the sum of \$34,430.00; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager reporting on communications from the San Diego Municipal Employees' Association requesting a wage increase for all City Employees; and an open hearing in the evening to discuss this request; was presented and read.

Miss Ellen M. Murray, President of the San Diego Municipal Employees' Association, spoke. She cited continued rise in living costs, including food, clothing and rent; with an indication that the cost of living will continue to rise. She mentioned recent sharp increases in income taxes, and stated that "A wide unrest in the rank and file of City Employees now exists". This condition affected primarily those in the lower income brackets with large families.

Miss Murray again requested an open hearing at night on the subject of wages, with interested Employees and members of the Council attending.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was ordered filed.

Councilman Godfrey spoke relative to the first and second letters filed by the San Diego Municipal Employees' Association, and the reasons why the first letter was not acknowledged more promptly.

Mr. Otto Hahn, of Local 127, San Diego County and Municipal Employees, spoke relative to the increased cost of living and increased income taxes; also, regarding raises in pay granted by the Federal Government and by private industry. He outlined the benefits of a health and welfare plan, with premiums paid by the employers, as requested by his organization. (This request had been filed by the City Council, on recommendation of the City Manager, at the meeting of January 15th, 1952.) He mentioned wages paid by other cities and outside business firms in San Diego; and stated that low-bracket employees of the City were constantly inquiring about the possibility of a wage increase by the City of San Diego. He stated that San Diego had the lowest pay range of any West Coast city.

No further action was taken on the matter.

A Resolution submitted by the City Manager approving the acceptance and dedication of streets and alley for the development of approximately 300 units of a single-story, multiple housing on Blocks 11, 12, 13, 16, 17 and 18 of Drucker's Addition, northeast of West Point Loma Boulevard and adjacent to the San Diego River Flood Control Channel was considered at this time.

Councilmen inquired about storm drains and general drainage in Drucker's Addition; being an old established subdivision with elevations slightly above the mean high tide level.

Glenn Rick of the City Planning Commission presented a map of the proposed development.

Councilman Kerrigan suggested hearings as to possible floods in this area; and the advisability of declaring it to be a sub-marginal or sub-standard district for housing residents.

Councilmen Godfrey and Swan commented on existing conditions in low-lying residential districts.

Glenn Rick commented on new proposed maps on Mission Valley property subject to overflow from the San Diego River. He said the last proposed map in this area was refused by the City Planning Commission; that the subdividers then filed a record of survey map, and deeds to lots sold since carry a notation to the effect that the property is subject to overflow from the River. He mentioned flood control expenditures of one hundred million dollars in Los Angeles. He said Los Angeles and Milwaukee have ordinances prohibiting housing construction in areas subject to being flooded.

Thereupon, RESOLUTION NO. 105112, recorded on Microfilm Roll No. 46, referring to the City Planning Commission for a public hearing the matter of adopting an Ordinance prohibiting the erection of residential units in "M" Zones; or in areas designated by the City Planning Commission as sub-standard districts due to possible flood overflow, such as low-lying land in Mission Valley or near tidal flats; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The matter of dredging and filling in private land at a profit to the City was discussed by Councilman Godfrey. Glenn Rick mentioned available excess material to be dredged from portions of Mission Bay; when navigable waters are dredged to a depth of twenty feet by the U. S. Corps of Army Engineers.

The matter of the price to be charged per cubic yard for dredged material, and the matter of allowing private parties to contract for dredging City-owned tide and submerged lands at a low price per cubic yard for material taken, was discussed.

Glenn Rick mentioned that this type of material made a very desirable fills.

Thereupon, RESOLUTION NO. 105113, recorded on Microfilm Roll No. 46, referring to the City Manager for study the matter of using City-owned dredged material from the Mission Bay area to fill in private land at a profit to the City; and the evaluation and setting of a price per cubic yard on such material; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105114, recorded on Microfilm Roll No. 46, approving the

acceptance and dedication of the streets and alley shown on accompanying plot plans for the development of approximately 300 units of single-story, multiple housing on Blocks 11, 12, 13, 16, 17 and 18 of Drucker's Addition, located on the northeasterly side of West Point Loma Boulevard, adjacent to the San Diego River Flood Control Channel and opposite to the Barnard Elementary School; subject to twelve conditions fully set out in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission recommending approval of the Final Map of El Cerrito Terrace, Unit No. 2, was presented.

RESOLUTION NO. 105115, recorded on Microfilm Roll No. 46, adopting the Map of El Cerrito Terrace Unit No. 2, and accepting the Public Streets, Alley and unnamed easements therein, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105116, recorded on Microfilm Roll No. 46, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego a contract with Josephine King, subdivider, and Union Title Insurance and Trust Company, trustee, for the construction and completion of the unfinished required improvements and the setting of the required monuments and stakes for El Cerrito Terrace Unit No. 2; directing the City Engineer to present an Ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the City Planning Commission recommending approval of the Final Map of Montezuma Heights, was presented.

RESOLUTION NO. 105117, recorded on Microfilm Roll No. 46, adopting the Map of Montezuma Heights and accepting the Public Streets, and unnamed easements therein, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Communication from G. A. Dougherty suggesting that the City enter a Water Saving display at the 4th Annual Home Show, to be held in the Electric Building, Balboa Park, from May 4th through the 11th, 1952, was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, referred to the City Manager.

Mr. G. A. Dougherty spoke, but had nothing to add to the written suggestion.

Copy of letter from Eugene W. Eddleman to the City Civil Service Commission explaining why the housing shortage in San Diego forced him to establish a residence outside of the San Diego City Limits was presented. (The Civil Service Rules require employees to live in the City of San Diego.)

A motion was made by Councilman Wincote to refer this letter to conference. The motion did not receive a second.

Mr. Otto Hahn spoke and stated that Mr. Eddleman was granted a sixty-day extension of time to comply with the existing Rule regarding City residence at a meeting of the Civil Service Commission on January 16th, 1952.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, the matter was ordered filed.

Communication from the University of California, Los Angeles 24, California, enclosing announcements of short course offerings to train police or other personnel in the most effective measures in dealing with street and highway traffic problems, etc., (Classes to be held at University of California at Los Angeles from February 4th to 15th, 1952.), was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Edith C. Clayton; advising that this case was closed by the payment of \$20.00; was presented and on motion of Councilman Schneider, seconded by Councilman Swan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Ruth L. Hasson; advising that this case was closed by the payment of \$141.00; was presented and on motion of Councilman Schneider, seconded by Councilman Swan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Louis Ballinger; advising that this case was closed by the payment of \$44.50; was presented and on motion of Councilman Schneider, seconded by Councilman Swan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claims of A. Phillip Martin and Nada Martin, advising that this case was closed by cancellation, was presented.

A motion was made by Councilman Swan, seconded by Councilman Wincote, to deny both claims. This motion carried.

On checking the files it developed that the claims, contained in Document Nos. 430157 and 430158, had previously been denied by Resolution No. 103314, adopted on August 9th, 1951.

RESOLUTION NO. 105118, recorded on Microfilm Roll No. 46, revising the contract between the City of San Diego and the Franks Dredging Company for the dredging and filling of De Anza Point in Mission Bay, by including new provisions for progress payments, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105119, recorded on Microfilm Roll No. 46, granting permission to Robert C. Gordon, 1277 Rosecrans Street, to remove 70 feet of curb on the northerly side of Dickens Street, between points 105 and 140 feet, and points 160 feet and 195 feet east of the east line of Rosecrans Street, for the installation of two driveways adjacent to Lots 9 to 12, inclusive, Block 43, Foreman and Harding's Sub-division, to provide access to two four-car garages; under certain conditions; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

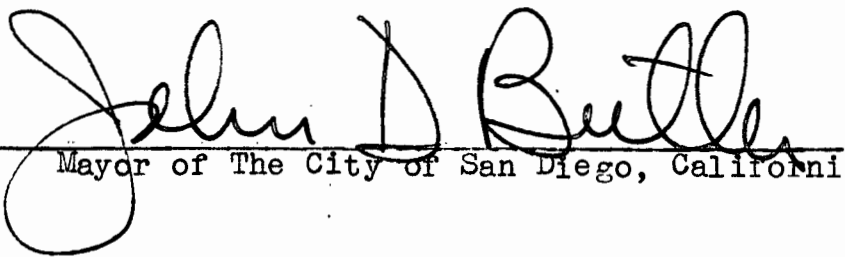
RESOLUTION NO. 105120, recorded on Microfilm Roll No. 46, granting permission to Fred F. Neyenesch and Antoinette Neyenesch to connect the sewer and water for two buildings on Lot D, Block 142, Mission Beach, to existing respective stubs; under certain conditions; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105121, recorded on Microfilm Roll No. 46, allowing the bill of San Diego-California Club, bearing date of January 11th, 1952, in the sum of \$5,795.77 for expenses incurred, as approved by the Advertising Control Committee; and authorizing a requisition to be drawn on the Advertising and Publicity Fund for said sum; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 5044, New Series, recorded on Microfilm Roll No. 46, appropriating the sum of \$58,000.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for resurfacing National Avenue, Main Street and 47th Street, in said City, was on motion of Councilman Schneider, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas-- Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Knox. Nays-- None. Absent--None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Dail, said ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

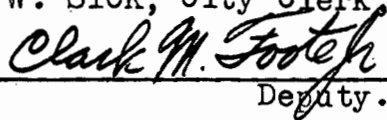
There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 11:01 A.M., on motion of Councilman Schneider, seconded by Councilman Wincote.


Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk

By


Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, January 22nd, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:05 o'clock AM.

Present---Councilmen Swan, Wincote, Schneider, Dail, Godfrey and Mayor Butler.

Absent----Councilman Kerrigan.

Clerk-----Fred W. Sick.

The Minutes of the Regular Meetings of Tuesday, January 15th, 1952, and of Thursday, January 17th, 1952, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Swan, said Minutes were approved without being read, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for paving and otherwise improving of the Alley in Block 20, City Heights, within the limits and as particularly described in Resolution of Intention No. 104447, the Clerk reported that four bids had been received, which bids were presented to the Council.

On motion, duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of V. R. Dennis Construction Co., accompanied by a bond written by the American Surety Company of New York in the sum of Six Hundred Dollars, which bid was given Document No. 443790;

The bid of John B. Henry, accompanied by a bond from The Fidelity and Casualty Company of New York in the sum of Seven Hundred Dollars, which bid was given Document No. 443791;

At this time Councilman Kerrigan entered and took his place on the Council.

The bid of T. B. Penick & Sons, accompanied by a bond from The Massachusetts Bonding and Insurance Company in the sum of Six Hundred Fifty Dollars, which bid was given Document No. 443792;

The bid of AL E. Riley, Inc., accompanied by a bond from The Fidelity and Casualty Company of New York in the sum of Seven Hundred Dollars, which bid was given Document No. 443793.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Playa del Norte Street and Neptune Place, within the limits and as particularly described in Resolution of Intention No. 104449, the Clerk reported that five bids had been received, which bids were presented to the Council.

On motion, duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Griffith Company, accompanied by a bond from the National Surety Corporation in the sum of Eighteen Hundred Dollars, which bid was given Document No. 443794;

The bid of V. R. Dennis Construction Co., accompanied by a bond from the American Surety Company of New York in the sum of Eighteen Hundred Dollars, which bid was given Document No. 443795;

The bid of John B. Henry, accompanied by a bond from the Fidelity and Casualty Company of New York in the sum of Two Thousand Dollars, which bid was given Document No. 443796;

The bid of T. B. Penick & Sons, accompanied by a bond from the Massachusetts Bonding and Insurance Company in the sum of Two Thousand Dollars, which bid was given Document No. 443797;

The bid of AL E. Riley, Inc., accompanied by a bond from the Fidelity and Casualty Company of New York in the sum of Two Thousand Dollars, which bid was given Document No. 443798.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for a Franchise for a period of Thirty Years to maintain and operate upon and over the streets and public ways, including tidelands, of The City of San Diego Motor Buses and other self-propelled vehicles carrying passengers for hire, under terms and conditions fully set forth in Resolution No. 104674, adopted December 11th, 1951, and in Notice Inviting Bids published in the San Diego Union from December 21st to 30th, 1951, inclusive, the Clerk reported to the Council that one bid had been received, which bid was presented to the Council.

On motion, duly made and seconded, said bid was opened and publicly declared.

Said bid was accompanied by a Certified Check drawn by the San Diego Transit System on the Security Trust & Savings Bank, Head Office, San Diego, California, in the sum of \$1000.00.

The bid read as follows:
"BID FOR FRANCHISE

San Diego, California
January 21, 1952

TO THE HONORABLE CITY COUNCIL OF THE CITY OF SAN DIEGO:

The undersigned, San Diego Transit System, hereby bids the sum of One Thousand Dollars (\$1000.00) for that certain franchise to maintain and operate over the streets and public ways, including tidelands, of the City of San Diego, for a period of thirty (30) years, buses and other self-propelled vehicles carrying passengers for hire, as described in your notice inviting bids, published in the San Diego Union December 21 to December 30, 1951.

Enclosed herewith is a certified check payable to the Treasurer of the City of San Diego for the full amount of said bid.

Respectfully,
SAN DIEGO TRANSIT SYSTEM,
By J. L. HAUGH
President."

The Mayor inquired if any other bidders were present to submit offers for this Franchise.

No one responded to the inquiry, and no further bids were received.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, said bid of the San Diego Transit System was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2044, made to cover the costs and expenses of the paving and otherwise improving of Venice Street, Brighton Avenue, and the Northeastly and Southwesterly Alley in Block 91, Point Loma Heights, under Resolution of Intention No. 101051, the City Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Mr. Cecil L. Carr, 2019 Venice Street, owner of Lot 10, Catalina Villas, asked how the assessment on this lot was determined.

City Engineer A. K. Fogg and Mr. Olson of the City Engineer's office, explained the assessment roll and showed figures from the recap sheets. The question was answered to the satisfaction of Mr. Cecil L. Carr, and no oral appeals were made from the assessment.

All interested persons having been heard, RESOLUTION NO. 105122, recorded on Microfilm Roll No. 46, Confirming the Street Superintendent's Assessment No. 2044, made to cover the cost and expenses of the paving and otherwise improving of Venice Street, Brighton Avenue, and the Northeastly and Southwesterly Alley in Block 91, Point Loma Heights, under Resolution of Intention No. 101051; authorizing and directing said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of the Alley in Block 13, Point Loma Heights, between the northeasterly line of Macauley Street and the southwesterly line of Oliphant Street, within the limits and as more particularly described in said Resolution of Intention, the City Clerk reported that no written protests had been received.

#104766 Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

All interested persons having been heard, on motion of Councilman Schneider, seconded by Councilman Winote, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of portions of Tourmaline Street, Bayard Street, Opal Street and Loring Street, under Resolution of Intention No. 104767, within the limits and as particularly described in said Resolution, the City Clerk reported that a written protest had been received from Lester A. Bennett, which protest was presented.

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

Mr. Lester A. Bennett protested orally, regarding the area of the assessment district. His objection consisted of the fact that the area extended further west from one of the streets to be paved than it extended toward the east.

The plat of the assessment district was explained by City Engineer A. K. Fogg.

All interested persons having been heard, RESOLUTION NO. 105123, recorded on Microfilm Roll No. 46, overruling and denying the protest of Lester A. Bennett, filed under Document No. 443660, against the work of improving Tourmaline Street, Bayard Street, Opal Street and Loring Street, as provided in Resolution of Intention No. 104767; overruling and denying all other protests; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Thereupon, on motion of Councilman Dail, seconded by Councilman Kerrigan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104879 of Preliminary Determination, for the paving and otherwise improving of the Alley in Block 20, Fairmount Addition to City Heights, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, Resolution No. 105124, recorded on Microfilm Roll No. 46, determining that the proposed improvement of the Alley in Block 20, Fairmount Addition to City Heights, within the limits and as particularly described in Resolution No. 104879, of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104880 of Preliminary Determination, for the paving and otherwise improving of the Alley in Block 6, Mountain View, between the northerly line of Landis Street and the southerly line of Wightman Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, Resolution No. 105125, recorded on Microfilm Roll No. 46, determining that the proposed improvement of the Alley in Block 6, Mountain View, within the limits and as particularly described in Resolution No. 104880, of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104881 of Preliminary Determination, for the paving and otherwise improving of the Alley in Block F, Referee's Partition Map of East One-half of Pueblo Lot 1110, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, Resolution No. 105126, recorded on Microfilm Roll No. 46, determining that the proposed improvement of the Alley in Block F, Referee's Partition Map of East One-half of Pueblo Lot 1110, within the limits and as particularly described in Resolution No. 104881, of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104882 of Preliminary Determination, for the installation of street light standards, equipment, connections and appurtenances on Montezuma Road, Mary Lane Drive, Dorothy Drive, Rockford Drive and 63rd Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, Resolution No. 105127, recorded on Microfilm Roll No. 46, determining that the proposed improvement of the installation of street lighting standards, equipment, connections and appurtenances in Montezuma Road, Mary Lane Drive, Dorothy Drive, Rockford Drive and 63rd Street, within the limits and as particularly described in Resolution No. 104882, of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104883 of Preliminary Determination, for the paving and otherwise improving of Reed Avenue, between Mission Boulevard and Cass Street; and portions of Mission Boulevard, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, Resolution No. 105128, recorded on Microfilm Roll No. 46, determining that the proposed improvement of paving and otherwise improving of Reed Avenue and Mission Boulevard, within the limits and as particularly described in Resolution No. 104883 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 104884 of Preliminary Determination, for the paving and otherwise improving of Rex Avenue, Shiloh Road, Wightman Street, Public Rights of Way in Lots 9 and 10, Block 3, Berkeley Heights, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Councilman Schneider inquired as to the eight inches of surfacing to be used. His questions were answered by the City Engineer; who cited poor soil conditions and poor sub-grade on these streets. He stated that the cost of this type of paving should be less than regular paving.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Mr. Cord Kessel, or 5403 Ogden Street, asked how far east on Wightman Street the paving would go.

The City Engineer explained the limits of the proposed work to Mr. and Mrs. Kessel. Mr. Olson, of the City Engineer's office made an estimate as to what the cost would be to their property.

After the matter was explained, Mr. Cord Kessel stated that he would not register a protest.

All interested persons having been heard, and no protests having been filed, RESOLUTION NO. 105129, recorded on Microfilm Roll No. 46, determining that the proposed improvement of paving Rex Avenue, Shiloh Road, Wightman Street, Public Rights of Way in Lots 9 and 10, Block 3, Berkeley Heights, as particularly described in Resolution No. 104884 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment; also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

A petition of Property Owners that the City immediately take action to improve the channel of South Chollas Creek in the vicinity of 37th and Una Streets, to prevent recurrence of flooding and damage to homes in the adjacent areas on Beta and Acacia Streets where runoff from recent storms has ponded to a depth of three feet, causing residents to evacuate homes, isolating the area by making streets impassable and creating conditions dangerous to the health of the community was presented and read.

A large delegation of citizens from the Chollas Valley area were present. Mr. W. S. Steele, of 3345 Steele Street, spoke of the need for a flood channel in Chollas Creek. He called the drainage situation a menace to health.

The Mayor stated that the matter had been considered in conference; and should be taken care of next Fall, along with new work on the Wabash Freeway.

This statement apparently did not appeal to the residents of the area, as the possible action was too far in the future.

Mr. W. S. Steele requested immediate action by the City on the drainage situation.

Councilman Dail commented on conditions near 34th Street, just south of the Market Street Bridge. He thought rocks placed by City equipment to control the flow of water would help the situation.

The Mayor said there were certain things the City could do toward alleviating the conditions complained of.

Mrs. L. A. Snipes, of 3758 Beta Street, spoke regarding conditions in the vicinity of 37th and Acacia Streets, and debris on Beta Street, between 36th and 38th Streets. She requested the creek be cleared out immediately, and cited pneumonia cases resulting from recent flood conditions.

A motion was made by Councilman Kerrigan to refer the matter to the City Manager to take any necessary action. Councilman Dail stated the motion should include authority for immediate action.

Mrs. Bebe Banks of 331 South Bancroft Street, spoke relative to distress caused by recent flood conditions in Chollas Valley; appealed for City action to correct existing conditions; and cited individual cases occurring during the recent flood.

Mrs. Violet M. Beck, residing at 411 - 21st Street, stated she owned property between 33rd and 34th Streets, south of Market Street. She stated a pipe drain was needed down Chollas Valley, south of Market Street, and should be put in right away. In her opinion an open channel would not serve the purpose.

Mrs. Linda P. Ireland, of 3250 L Street, stated that the area at 33rd and L Streets is a dumping ground for trash of all kinds. She complained of lack of action by various City Departments in response to her telephone calls.

Mrs. Parks, residing at 3032 L Street, made a short statement of her observations during the recent heavy rain.

The City Attorney started to explain the dangers of changing the natural flood channels; but was interrupted, and did not finish his remarks.

Councilmen Swan and Dail assured those attending the meeting that the Council wants to act within the limitations of the City's authority.

Mrs. W. J. Gerish, of 3356 L Street, spoke of a "trap" formed by the Railroad tracks crossing Chollas Valley in the general vicinity of K Street. She claimed that storm water actually flowed through the houses in this area during the recent storm. She blamed the condition on logs and loose material in the drainage channel.

All interested persons having been heard, RESOLUTION NO. 105130, recorded on Microfilm Roll No. 46, referring to the City Manager with the power to act to alleviate conditions immediately as much as possible, the petition of property owners, filed under Document No. 443625, for immediate action to improve the channel of South Chollas Creek, in the vicinity of 37th and Una Streets, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Protest of residents against the termination of the shuttle bus to the south end of Mission Beach after 9:00 o'clock at night, inasmuch as this is the only transportation service, was presented and on motion of Councilman Schneider, seconded by Councilman Dail, referred to the City Manager.

Claim of Jacob M. Jacobs, 813 Diamond Street, in the sum of \$8.50, for towing services to get his automobile out of a ditch in the alley back of his home, was presented.

RESOLUTION NO. 105131, recorded on Microfilm Roll No. 46, referring the claim of Jacob M. Jacobs to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Claim of Ralph A. Keisler, 5215 Rex Avenue, in the sum of \$10.00 for towing services when his automobile bogged down in a sewer ditch in the 5200 Block on Rex Avenue, was presented.

RESOLUTION NO. 105132, recorded on Microfilm Roll No. 46, referring the claim of Ralph A. Keisler to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on four bids received for furnishing Chain Link Fence, Galvanized Pipe and Fittings, and Fence Hardware, for the Park and Recreation Department, was presented.

RESOLUTION NO. 105133, recorded on Microfilm Roll No. 46, accepting the bid of Anchor Post Products, Inc. of California, to furnish The City of San Diego with Chain Link Fence, Galvanized Pipe and Fittings, and Fence Hardware for the sum of \$4,700.00, plus State Sales Tax, F.O.B. San Diego; awarding the contract, and authorizing the City Manager to execute the same; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on four bids received for furnishing 700 tons, approximately a six-month supply, of Liquid Sodium Silicate for water purification purposes, was presented.

RESOLUTION NO. 105134, recorded on Microfilm Roll No. 46, accepting the bid of Atlas Chemical & Mfg. Company of San Diego, to furnish the City of San Diego with 700 tons, approximately a six-month supply, of Liquid Sodium Silicate for the price of \$23.40 per ton, plus State Sales Tax, F.O.B. Alvarado Filtration Plant; awarding the contract, and authorizing the City Manager to execute the same; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on three bids for furnishing 24 Standard Municipal Fire Alarm Boxes, was presented.

RESOLUTION NO. 105135, recorded on Microfilm Roll No. 46, accepting the bid of Electric Supplies Distributing Company of San Diego to furnish The City of San Diego with twenty-four (24) fire alarm boxes for a price of \$123.50 each, plus sales tax; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on the sale of approximately forty-one tons of scrap metals and one lot of scrap tires, on October 24, 1951; eight bids being received, and sales made to three high bidders in various categories, namely: Southern California Junk Company, San Diego Mill Supply Company, and Reliable Pipe & Supply Company; was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, approved and ordered filed.

Communication from the Purchasing Agent, approved by the City Manager, reporting on the sale of ten (10) houses to be moved, located in north San Diego, and surplus to the City; stating that twenty-two bids were received, and sales were made to six high bidders; was presented on motion of Councilman Kerrigan, seconded by Councilman Wincote; approved and ordered filed.

RESOLUTION NO. 105136, recorded on Microfilm Roll No. 46, approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or indirectly incidental for the construction and completion of the Point Loma Reservoir Post Replacement, San Diego, California, as contained in Document No. 443707; approving the proposed wage scale contained in said specifications; authorizing and directing the Purchasing Agent to proceed to publish in accordance with law, notice to contractors calling for bids for the work above described, in accordance with the plans and specifications referred to; was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the City Planning Commission recommending suspension of five sections of the subdivision ordinance relative to the Tentative Map of Clairemont Gardens, was presented.

RESOLUTION NO. 105137, recorded on Microfilm Roll No. 46, suspending Sections 3J, 3I2, 4A8 and 6; also 5C of the subdivision ordinance in connection with the Tentative Map of Clairemont Gardens, a housing unit of 1024 units located easterly of the subdivision of Morena, in so far as they relate to this Tentative and the Final Maps, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission recommending approval of the Tentative Map of Clairemont Gardens, was presented.

RESOLUTION NO. 105138, recorded on Microfilm Roll No. 46, approving the Tentative Map of Clairemont Gardens, consisting of 6 blocks of land, being a subdivision of portions of Pueblo Lots 1194, 1195, 1206 and 1207, located northerly of the

proposed business section of Clairemont on the highlands east of Morena, subject to ten conditions fully set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission recommending suspension of ten sections of the subdivision ordinance relative to the Tentative Map of Don Diego Manor, Unit No. 2, was presented.

RESOLUTION NO. 105139, recorded on Microfilm Roll No. 46, suspending sections 3G8 & 2, 3E4, 3C, 3J2, 3J6, 3J8, 4A8 and 6; also 5C of the subdivision ordinance in connection with the Tentative Map of Don Diego Manor, Unit No. 2; located at 52nd and Redwood Streets, in so far as they relate to the Tentative and Final Maps, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the City Planning Commission recommending approval of the Tentative Map of Don Diego Manor, Unit No. 2, under certain conditions, was presented.

RESOLUTION NO. 105140, recorded on Microfilm Roll No. 46, approving the Tentative Map of Don Diego Manor, Unit No. 2, a subdivision of a portion of the W 1/2 of SW 1/4 of Sec. 34, T. 16S, R2W, and Lots 7 and 8 of Wadsworth's Olive Grove, into 131 lots, located west of 52nd Street and Nly and Sly of the westerly prolongation of Redwood Street in Furlow Heights, subject to ten conditions fully set out in said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, approved by the City Manager, recommending granting petition for closing portions of Mars Street and Camulos Street, in Drucker's Subdivision, was presented.

RESOLUTION NO. 105141, recorded on Microfilm Roll No. 46, granting the petition for the closing of Mars Street and Williams Street, from the southeasterly line of Clovis Street to the northwesterly line of Ollie Street, and Camulos Street from the southwesterly line of Venus Street to the northeasterly line of Prince Street, as contained in Document No. 441758, as recommended by the Street Superintendent; directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs and expenses of said closing; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Street Superintendent, approved by the City Manager, recommending granting petition for closing the northerly 10 feet of Baker Street in Eureka Lemon Tract, was presented.

RESOLUTION NO. 105142, recorded on Microfilm Roll No. 46, granting the petition for the closing of the northerly 10 feet of Baker Street adjacent to the easterly 489.80 feet of Lot 21, Eureka Lemon Tract, contained in Document No. 439441, as recommended by the Street Superintendent; directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs and expenses of said closing; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Street Superintendent, approved by the City Manager, recommending granting petition for closing Curlew Street, north of Nutmeg Street, was presented.

RESOLUTION NO. 105143, recorded on Microfilm Roll No. 46, granting the petition for the closing of Curlew Street from the northerly line of Nutmeg Street to the southwesterly line of Arroyo Drive, contained in Document No. 439443, as recommended by the Street Superintendent; directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, approved by the City Manager, recommending that proceedings for the improving of Missouri Street, between Lamont Street and a point east, be abandoned, was presented.

RESOLUTION NO. 105144, recorded on Microfilm Roll No. 46, abandoning the proceedings heretofore taken under Resolution No. 104054 of Preliminary Determination in connection with the improvement of Missouri Street and Public Right of Way in Acre Lot 51, Pacific Beach, as recommended by the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Manager recommending the denial of application of Sylura Barron, 2954 Imperial Avenue, for a Class C Dine and Dance License for the premises located at 2954 Imperial Avenue, was presented.

RESOLUTION NO. 105145, recorded on Microfilm Roll No. 46, denying the application of Sylura Barron, 2954 Imperial Avenue, for a Class C Dine and Dance license for the premises located at 2954 Imperial Avenue, as recommended by the City Manager, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Communication from the City Manager advising of the appointment of Dr. Baylor Brooks, Chairman of the Department of Geology at San Diego State College, and Mr. John W. Quimby, Secretary of the Central Labor Council of San Diego County, to the Water Commission to fill the vacancies created by the resignations of Mr. William Kellogg and Col. Ed Fletcher, was presented and on motion of Councilman Kerrigan, seconded by Councilman Swan, ordered filed.

Communication from the City Manager, advising the Council that, effective January 16, 1952, he has appointed Mr. Joseph E. Padgett to the City Planning Commission to fill the vacancy created by the resignation of Mr. Edward F. Scott; also advising of the re-appointment of Mr. Victor R. Lundy, whose term expired on January 6th, for another two-year term; was presented and on motion of Councilman Swan, seconded by Councilman Wincote, ordered filed.

Communication from the City Manager recommending filing letter from Mrs. E. H. Dowell, President of the local S.P.C.A., relative to enforced vaccination of dogs, together with a copy of the City Attorney's opinion on the contentions contained in Mrs. Dowell's letter was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, all papers in connection with the matter were ordered filed.

Communication from the City Manager recommending filing communication from the San Diego Race Relations Society relative to need for a storm drain in Chollas Valley; submitting copy of his reply to the Society; was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, all communications on this subject were ordered filed.

Communication from the City Manager recommending filing the petition for paving Milton Street, between Morena Boulevard and Illion Street; stating that the City has plans for installation of a storm drain in Milton Street in the near future; was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed; together with said Petition.

Communication from the City Manager recommending filing communication contained in Document No. 443056 from W. E. Zader, opposing the new Dog Control Ordinance was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed; together with Mr. Zader's communication.

Communication from the Fleet Reserve Association relative to need for additional parking space at the Naval Hospital in Balboa Park; stating that no paved sidewalks are available from the existing parking areas; was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, referred to the City Manager.

Communication from Henry Lippett opposing the use of Fluorine in drinking water was presented and on motion of Councilman Swan, seconded by Councilman Schneider, ordered filed.

Communication from William K. Snyder relative to vaccination of dogs under the new Dog Control Ordinance; opposing the requirement for compulsory vaccination; was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed.

RESOLUTION NO. 105146, recorded on Microfilm Roll No. 46, directing notice of filing of assessment and of the time and place of hearing thereof, under Assessment No. 2050, for paving and otherwise improving the Alleys in Blocks 194, 195, 196, 197, 198, 199, 200 and 201, Mission Beach, under Resolution of Intention No. 99701, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105147, recorded on Microfilm Roll No. 46, directing notice of filing of assessment and of the time and place of hearing thereof, under Assessment No. 2051, for paving and otherwise improving of Jewell Street, between La Playa Avenue and Moorland Drive, under Resolution of Intention No. 102015, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105148, recorded on Microfilm Roll No. 46, directing notice of filing of assessment and of the time and place of hearing thereof, under Assessment No. 2049, for paving and otherwise improving of 33rd Street, Beech Street and Date Street, under Resolution of Intention No. 101860, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105149, recorded on Microfilm Roll No. 46, fixing Tuesday, the 29th day of January, 1952, at 10:00 o'clock A.M. in the Council Chamber of the Civic Center in the City of San Diego, California, as the time and place for hearing the protest of E. L. Bartlett against the closing of Idaho Street, between Howard Avenue and Polk Avenue, under Resolution of Intention No. 104592, adopted December 4, 1951; authorizing and directing the City Clerk to give notice of said hearing in the manner and form required by law; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 105150, recorded on Microfilm Roll No. 46, awarding to the San Diego Gas & Electric Company the contract for furnishing of electric current for the lighting of the ornamental street lights located in Adams Avenue Lighting District No. 1, for a period of one year from and including October 13, 1951, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 105151, recorded on Microfilm Roll No. 46, awarding to the San Diego Gas & Electric Company the contract for furnishing of electric current for the lighting of the ornamental street lights located in Midway Drive Lighting District No. 1, for a period of one year from and including October 1, 1951, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 105152, recorded on Microfilm Roll No. 46, awarding to the San Diego Gas & Electric Company the contract for furnishing of electric current for the lighting of the ornamental street lights located in Roseville Lighting District No. 1, for the period of one year from and including October 15, 1951, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 105153, recorded on Microfilm Roll No. 46, for paving and otherwise improving of the Alleys in Blocks 96, 97, 99, 100, 103, 104 and 107, Mission Beach; Santa Barbara Place, Mission Boulevard, Ventura Boulevard and Public Rights of Way, as described in Resolution of Intention No. 104662, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 105154, recorded on Microfilm Roll No. 46, for paving and otherwise improving of Ninth Avenue, north of Johnson Avenue, as described in Resolution of Intention No. 104664, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 105155, recorded on Microfilm Roll No. 46, for paving and otherwise improving Thomas Avenue and Reed Avenue, as described in Resolution of Intention No. 104665, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 105156, recorded on Microfilm Roll No. 46, for closing County Road Survey No. 904 in Lot 67, Rancho Mission of San Diego, as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 105157, recorded on Microfilm Roll No. 46, for closing portions of Napa Street and Cherry Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION DIRECTING NOTICE INVITING SEALED PROPOSALS/for furnishing of electric current for the lighting of the ornamental street lights in El Cajon Boulevard Lighting District No. 1, for a period of one year from and including December 1, 1951, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION DIRECTING NOTICE INVITING SEALED PROPOSALS/for furnishing of electric current for the lighting of the ornamental street lights in Logan Avenue Lighting District No. 1, for a period of one year from and including November 16, 1951, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION DIRECTING NOTICE INVITING SEALED PROPOSALS/for furnishing of electric current for the lighting of the ornamental street lights located in Montemar Lighting District No. 1, for a period of one year from and including December 16, 1951, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION DIRECTING NOTICE INVITING SEALED PROPOSALS NO. 105161, recorded on Microfilm Roll No. 46, for furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District No. 1, for a period of one year from and including November 5, 1951, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 105162, recorded on Microfilm Roll No. 46, for closing portions of 33rd Street, south of Ocean View Boulevard, within the limits and as particularly described in said Resolution of Intention, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105163, recorded on Microfilm Roll No. 46, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Eighth Avenue Lighting District No. 1, for a period of one year, from and including January 1, 1952, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105164, recorded on Microfilm Roll No. 46, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of ornamental street lights located in La Jolla Lighting District No. 1, for a period of one year from and including January 1, 1952, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105165, recorded on Microfilm Roll No. 46, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of ornamental street lights located in Seventh Avenue Lighting District No. 1, for a period of one year from and including January 1, 1952, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105166, recorded on Microfilm Roll No. 46, approving the plans and specifications for the furnishing of all labor, material, equipment, transportation and other expense necessary or incidental for the construction of the Murray Canyon Trunk Sewer from Mission Valley Road to the City boundary, contained in Document No. 443752; approving the wage scale contained in said specifications; authorizing and directing the Purchasing Agent to proceed to publish in accordance with law, notice to contractors calling for bids for the work hereinabove described, in accordance with said plans and specifications; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, reporting on three bids received for the construction of a storm drain in Lot 10, Lemon Villa, adjacent to Richmond Hills, was presented.

RESOLUTION NO. 105167, recorded on Microfilm Roll No. 46, accepting the bid of L. B. Butterfield for the construction of a Storm Drain in Lot 10, Lemon Villa, adjacent to Richmond Hills, for the sum of \$3,479.00; awarding the contract and authorizing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105168, recorded on Microfilm Roll No. 46, establishing a Two-Hour Parking Zone, between the hours of 8:00 o'clock A.M. and 6:00 o'clock P.M., Sundays and holidays excepted, on portions of the following streets, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted:

2nd, 4th, 5th, 6th, 9th, 11th and 12th Avenues; 13th, 16th, 17th, 31st, B, Beech Streets; Broadway; C, Elm, F, G, Hancock, Hawthorn and India Streets; Island Avenue; J, Juniper, K and Kalmia Streets; Kettner Boulevard; L Street; Madison Avenue; Park Boulevard; State, Upas and Wightman Streets.

RESOLUTION NO. 105169, recorded on Microfilm Roll No. 46, establishing and designating Parking Meter Zones on portions of the following streets, within the limits and at the locations specified in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted:

2nd, 4th, 5th, 6th, 9th, 11th and 12th Avenues; 13th, 16th, 17th, 31st, B, Beech Streets; Broadway, C, Elm, F, G, Hancock, Hawthorn and India Streets; Island Avenue; J, Juniper, K and Kalmia Streets; Kettner Boulevard, L Street; Madison Avenue; Park Boulevard; State, Upas, Wightman and C Streets; 4th, 7th and Grim Avenue; and K Street.

RESOLUTION NO. 105170, recorded on Microfilm Roll No. 46, establishing a Two-Hour Parking Zone, between the hours of 8:00 o'clock A.M. and 4:00 o'clock P.M., Sundays and holidays excepted, on C Street (South side), between the east line of 16th Street and the west line of 17th Street; also, establishing a 36-Minute Parking Zone, between the hours of 8:00 o'clock A.M. and 6:00 o'clock P.M., Sundays and holidays excepted on portions of 4th, 7th and Grim Avenue, and on portion of K Street; within the limits and as particularly described in said Resolution; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105171, recorded on Microfilm Roll No. 46, authorizing and empowering the City Manager to do all the work in connection with improvements and resurfacing of portions of the following streets, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted:

43rd Street, from Orange Avenue to University Avenue;
Boundary Street, from Orange Avenue to Suncrest Drive;
Dunemere Drive, from La Jolla Boulevard to Monte Vista Avenue;
Florida Street, from Robinson Avenue to University Avenue;
Golden Gate Drive, from Cleveland Avenue to Delaware Street;
Harvey Road, from Golden Gate Drive to North dead end;
K Street, from W. S. 4th Avenue to 5th Avenue;
K Street, from 10th Avenue to 12th Avenue;
L Street, from 10th Avenue to 12th Avenue;
La Jolla Boulevard, from Prospect Street to Mesa Way;
Landis Street, from Fairmount Avenue to Marlborough Avenue;
Landis Street, from Swift Avenue to Wilson Avenue;
Landis Street, from Cherokee Avenue to 37th Street;
Norwood Street, from Menlo Avenue to Chamoune Avenue;
Polk Street, from Idaho Street to 32nd Street;
Ward Road, from Cherokee Avenue to 38th Street.

RESOLUTION NO. 105172, recorded on Microfilm Roll No. 46, declaring the intersections of Boundary Street and Landis Street, affecting eastbound traffic on Landis Street; and Boundary Street and Dwight Street, affecting eastbound traffic on Dwight Street; to be "Intersection Stops"; authorizing the installation of the necessary signs and markings; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105173, recorded on Microfilm Roll No. 46, granting permission to Harold Stephens to install a soil line with a fall of 1/8" to 3/16" at 1958 - 54th Street, because the sewer in the street is too high for a grade of 1/4" per foot, on a portion of Lot 17, Rancho Mission, San Diego, California; subject to the approval of the City Manager and the Department of Public Health, and upon the express condition that The City of San Diego shall be held free and clear of any claim for damages by reason of the installation, operation and maintenance of said sewer line; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105174, recorded on Microfilm Roll No. 46, granting permission to Harvey Jessie, 3083 - 39th Street, to install two 25-foot driveways on the northerly side of Upshur Street, between points 106 feet and 131 feet, and points 141 and 166 feet west of the west line of Scott Street, to serve Lots 18, 19 and 20, Block 6, New Roseville, to provide access to two 2-car garages, under conditions specified in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105175, recorded on Microfilm Roll No. 46, granting permission to Fisher Oil Company, 3702 El Cajon Boulevard, to install one 30-foot driveway, and one 20-foot driveway, on the northeasterly side of Manzanita Place, between points 12 feet and 42 feet, and points 64 feet and 84 feet, respectively, west of the west line of Fairmount Avenue, adjacent to Lot 12, Block 103, City Heights Subdivision, under conditions specified in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105176, recorded on Microfilm Roll No. 46, granting permission to Moore and Moore, 521 Ash Street, to install a 27-foot driveway on the northeasterly side of San Diego Avenue, adjacent to Lots 2 and 3, Block 205, Middletown, to provide access to a 3-car garage located at 2034 San Diego Avenue, under conditions specified in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105177, recorded on Microfilm Roll No. 46, authorizing the City Manager to make application to the County Board of Supervisors for an option to purchase certain tax-deeded lands described as Lots 33 and 34, Block 5, Frary Heights, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105178, recorded on Microfilm Roll No. 46, authorizing the Acting Director of the Water Department of San Diego to send an inspector to the Los Angeles plant of Consolidated Western Steel Corporation, for the purpose of inspecting, during manufacture, of manifolds for the pumping plant at University Heights; authorizing the necessary expense therefor, estimated at the sum of \$200.00; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105179, recorded on Microfilm Roll No. 46, authorizing and empowering the Mayor and City Clerk to execute a quitclaim deed quitclaiming to Studebaker Broadcasting Company, a corporation, certain portions of Lots 1 to 20 and 28 to 45, Block 289, Seaman and Choates Addition, according to Map thereof No. 223, as fully described in said Resolution; reserving all access rights to Wabash Boulevard Freeway from said properties; in exchange for the deeds for land in said Block 289, Seaman and Choates Addition, as set forth in an agreement bearing Document No. 429457; was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105180, recorded on Microfilm Roll No. 46, authorizing and empowering the Mayor and City Clerk to execute a quitclaim deed quitclaiming to Lena Kendall, a widow, a strip of land 6.0 feet in width, 3.0 feet on each side of a center line described in said Resolution, lying within Acre Lot 73 of Pacific Beach; in exchange for a deed for a portion of Acre Lot 73, Pacific Beach, required by the City; was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105181, recorded on Microfilm Roll No. 46, approving Change Order No. 1, filed as Document No. 443734, in connection with the contract between The City of San Diego and H. H. Peterson for the construction of a storm drain in Block 57, H. M. Higgins' Addition, which said contract is contained in Document No. 441080; which change order does not increase the contract price; and approving the changes therein set forth; was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105182, recorded on Microfilm Roll No. 46, granting permission to San Diego Unified School District to install a 150-foot driveway on the north side of Detroit Avenue approximately between points 508 and 658 feet east of the east line of 58th Street, adjacent to the easterly 504.52 feet of Lot 13, Cave and McHatton Subdivision; under conditions contained in said Resolution; was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105183, recorded on Microfilm Roll No. 46, authorizing and empowering the City Manager to do all the work in connection with the installation of 1000 feet of 8-inch water main and one 6-inch two-way fire hydrant, the installation of 1000 feet of 2-inch High-line, the renewal and lowering of 10 3/4" and one 1-inch services, and the salvaging or abandonment of 100 feet of 2-inch W. I. water main and 900

feet of 4-inch C. I. water main, on Alcott Street, from a point 325 feet east of Poinsettia Drive to Palermo Street, and on Palermo Street, from Alcott Street to Zola Street, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105184, recorded on Microfilm Roll No.46, granting permission to the San Diego Unified School District to excavate City-owned portions of Pueblo Lot 1203, in accordance with plans and specifications heretofore filed under Document No. 443509, and to deposit the excavated material on other portions of Pueblo Lot 1203, provided that said work is completed within six months of the date of this resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105185, recorded on Microfilm Roll No. 46, authorizing and empowering the City Clerk to appoint Roy Butler as a Deputy City Clerk for the purpose of administering loyalty oaths of affirmation for Civilian Defence workers; said Roy Butler to serve without extra compensation and to make no charge for administering the oath or affirmation; was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105186, recorded on Microfilm Roll No. 46, allowing the bill of San Diego City and County Convention Bureau, bearing date of January 15, 1952, in the sum of \$495.28 for expenses incurred, as approved by the Advertising Control Committee; authorizing a requisition to be drawn on the Advertising and Publicity Fund of The City of San Diego for said sum; was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 5045, New Series, recorded on Microfilm Roll No. 46, repealing certain ordinances as listed therein, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Said Ordinance contained a thirteen-page list of Ordinances repealed, giving numbers, series numbers, and dates adopted.

ORDINANCE NO. 5046, New Series, recorded on Microfilm Roll No. 46, adopting a Municipal Code of the City of San Diego, filed as an official document numbered 443622, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5047, New Series, recorded on Microfilm Roll No. 46, appropriating the sum of \$45,000.00 from the Traffic Safety Fund of the City of San Diego, for resurfacing various streets in the City, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5048, New Series, recorded on Microfilm Roll No. 46, appropriating the sum of \$8,000.00 from the Capital Outlay Fund of the City of San Diego, for the purpose of providing funds for the construction of a storm drain in Una Street and Cottonwood Street, and in Block B, Arlington, in the City, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Wincote, Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

~~Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.~~

ORDINANCE NO. 5049, New Series, recorded on Microfilm Roll No. 46, appropriating the sum of \$5,500.00 from the Capital Outlay Fund of The City of San Diego, for the construction of a connecting sewer from La Jolla Country Club Heights to Dellcrest Lane, in the City, was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

ORDINANCE NO. 5050, New Series, recorded on Microfilm Roll No. 46, appropriating the sum of \$117.00 from the Unappropriated Balance of The City of San Diego, for the purpose of providing additional funds for the purchase of new equipment for the Central Duplicating Office, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5051, New Series, recorded on Microfilm Roll No. 46, authorizing the execution of a lease of a portion of Pueblo Lot 1324 of the Pueblo Lands of The City of San Diego, together with a revocable Non-Exclusive Use and Occupancy Permit for the use of portions of Torrey Pines Park, with Associated Glider Clubs of Southern California, Ltd., was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5052, New Series, recorded on Microfilm Roll No. 46, changing the name of Siete Drive to Mary Lane Drive, and changing the name of Viamaria to Via Maria, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

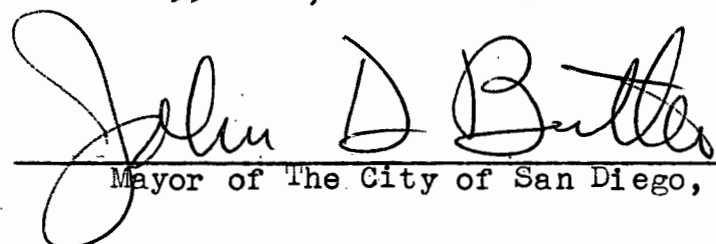
ORDINANCE NO. 5053, New Series, recorded on Microfilm Roll No. 46, establishing the grade of Logan Avenue, between a line drawn southerly at right angles from the northerly line of Logan Avenue at the intersection of the northerly line of Logan Avenue with the westerly line of 46th Street, and a line drawn southerly at right angles from the northerly line of Logan Avenue at the intersection of the northerly line of Logan Avenue, with the easterly line of 46th Street, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5054, New Series, recorded on Microfilm Roll No. 46, establishing the grade of Warrington Street, between the easterly line of Wabaska Drive and the northeasterly line of Point Loma Heights, according to Map No. 1106 on file in the office of the County Recorder of San Diego County, California, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 11:35 A.M., on motion of Councilman Kerrigan, seconded by Councilman Schneider.


 Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk.

By Clark M. Foot Jr.
 Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, January 24th, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:10 o'clock A.M.

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

By Unanimous consent, on motion of Councilman Wincote, seconded by Councilman Kerrigan, the two following items were considered at this time:

ORDINANCE NO. 5055, New Series, recorded on Microfilm Roll No. 46, Amending Section 12 of Ordinance No. 2776 (New Series), (The Election Code), of the Ordinances of The City of San Diego, California, adopted May 12, 1942, as amended, relative to the Consolidation of Elections, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Prior to the final reading a written or printed copy thereof was furnished to each member of the Council.

RESOLUTION NO. 105187, recorded on Microfilm Roll No. 46, requesting the Board of Directors of the San Diego County Water Authority to order the consolidation of special municipal elections to be held in the City of San Diego on February 26, 1952, for the purpose of submitting to the qualified electors of the said City a proposition to incur a bonded indebtedness of \$6,500,000 to develop the waters of the San Dieguito River by the construction thereon of the Sutherland Dam; and, a special municipal election to submit to the qualified electors of said City a proposition to approve a contract between The City of San Diego and the United States of America providing for the construction by the U. S. Navy for the use of the San Diego County Water Authority of a second aqueduct for the delivery of water from the Colorado River to San Diego County Water Authority for the use of said City; with a special election to be held in the area of the San Diego County Water Authority, which said area includes the area of The City of San Diego, on February 26, 1952; and in so far as authorized hold said consolidated elections in accordance with the provisions of Sections 10050 to and including 10058 of Division 11, Part 2, Chapter 4 of the Elections Code of the State of California; with the proviso, however, that, except as authorized by said Elections Code sections hereinabove enumerated, in all other particulars the said consolidated special municipal elections shall be conducted separately in the same manner as if they had not been consolidated, and the returns of said consolidated special municipal elections canvassed as authorized by the Charter and the Election Code of said City of San Diego; and with the further proviso that the City shall be obligated to pay such extra and additional costs as may be incurred by said County Water Authority because of the consolidation of said municipal elections with said County Water Authority election, and said City shall also be obligated to pay such other costs and expenses as may be incurred by the City in carrying on and performing the necessary functions required to be performed in conducting said consolidated special municipal elections separately from the said County Water Authority election; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail; Mayor Butler. Nays--None. Absent--Councilman Godfrey.

At this time Councilman Godfrey entered and took his place on the Council.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the appeal of Ben and Bertha Solomon from the decision of the Zoning Committee denying permission to construct a duplex with a seven-foot setback on the West 75 feet of Lots 1, 2 and 3, Block 102, City Heights, at the southeast corner of Myrtle Avenue and 43rd Street, in Zone R-4; the matter having been referred back to the Zoning Committee for consideration and further report on January 2nd, 1952; Glenn Rick of the City Planning Commission reported orally on the matter.

Mr. Rick reported that the matter had been reconsidered by the Zoning Committee at its last meeting; and representative of the applicants had attended the Zoning Committee meeting. He presented a plat of the property under consideration, showing proposed locations of new structures, and approximate location of existing buildings. He stated the new request was for an additional building 26 by 44 feet in size, with a seven-foot setback on a lot 75 by 75 feet in size, which had already been improved with residence structures.

Attorney H. F. Landgraf spoke on behalf of his clients, Ben and Bertha Solomon. He said there was no opposition to the applicants' request from neighboring property owners. Attorney Landgraf submitted another plat; which did not agree in all respects with that submitted by Glenn Rick. The proposed construction was discussed by Attorney Landgraf and individual Councilmen.

A motion was made by Councilman Kerrigan, seconded by Councilman Swan, to deny the appeal and sustain the finding of the Zoning Committee.

Mr. Glenn Rick stated that if property owners on both sides of the street

sign a petition for a ten-foot setback it would be favorably recommended by the Planning Commission.

Mr. Ben Soloman stated he had been trying to build on this property since early in December, and would like to avoid further delay.

It was moved by Councilman Schneider that the Planning Commission be requested to hold a hearing on a proposed ten-foot setback in this area without the formality and delay of securing a petition from property owners. This motion did not receive a second.

Mr. Ben Soloman spoke again regarding his plans and his desire to start work immediately.

Attorney H. F. Landgraf requested that the matter be continued, instead of denying the appeal.

Councilman Wincote commented on this request for continuance.

A roll call on the motion to deny the appeal, and confirm the decision of the Zoning Committee showed all members voting "Yeas";

The motion to deny the appeal carried.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the motion above was reconsidered. Considerable discussion followed. The roll call on the motion to reconsider showed Councilmen Swan, Wincote, Dail and Godfrey voting "Yea". Councilmen Schneider, Kerrigan and Mayor Butler voting "Nay". Absent--None. The motion to reconsider carried.

Attorneys DuPaul and Landgraf discussed the circumstances in connection with this particular property.

All interested persons having been heard, on motion of Councilman Godfrey, seconded by Councilman Wincote, the hearing was continued for one week.

The matter of amending the City Charter relative to Zoning Committee and Planning Commission action was discussed, but no action taken.

Application of General Truck & Engine Co. for certificate of necessity to operate three Drive-Yourself Trucks was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, referred to the City Manager.

Petition of Mr. and Mrs. Ralph Banda for sale of City-owned land in Block 380, Old San Diego, was presented and on motion of Councilman Wincote, seconded by Councilman Swan, referred to the City Manager.

Claim of Elizabeth J. Leander for \$8500.00, based on a fall to the sidewalk at 1245 Seventh Avenue, was presented.

RESOLUTION NO. 105188, recorded on Microfilm Roll No. 46, referring the claim of Elizabeth J. Leander to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Said claim was contained in Document No. 443776.

Communication from the City Planning Commission recommending suspension of nine sections of the Subdivision Ordinance relative to the Tentative Map of Collwood Terrace, Units 3, 4, 5 and 6, was presented.

RESOLUTION NO. 105189, recorded on Microfilm Roll No. 46, suspending sections 3G1 & 2, 3J6, 3I2, 3E5, 3J8, 4A8 & 6 and 5C of the Subdivision Ordinance, in connection with the Tentative Map of Collwood Terrace, Units 3, 4, 5 and 6, in so far as they relate to the Tentative and Final Maps, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission recommending approval of the Tentative Map of Collwood Terrace, Units 3, 4, 5 and 6, was presented.

RESOLUTION NO. 105190, recorded on Microfilm Roll No. 46, approving the Tentative Map of Collwood Terrace Units Nos. 3, 4, 5 and 6, a re-submission of a Tentative Map approved on November 28, 1950 by Resolution No. 100372, consisting of 313 lots, located southerly of Montezuma Road and westerly of College Avenue; subject to ten conditions applying to each of Units Nos. 3, 4, 5 and 6, as fully set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission recommending suspension of six sections of the subdivision ordinance relative to the Tentative Map of Lomita Village, Unit No. 1, was presented.

RESOLUTION NO. 105191, recorded on Microfilm Roll No. 46, suspending sections 3E5, 3I2, 3J6, 4A8 & 6, and 5C of the Subdivision Ordinance, in connection with the Tentative Map of Lomita Village Unit No. 1, in so far as they relate to the Tentative and Final Maps, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the City Planning Commission recommending suspension of sections of the subdivision ordinance; and approval of the Tentative Map of Lomita Village Unit No. 1, a subdivision of a portion of Narragansett Heights, lying several miles east of Encanto and south of the subdivision of Monterey Heights, which is in the County, consisting of 165 lots; was presented.

RESOLUTION NO. 105192, recorded on Microfilm Roll No. 46, approving the Tentative Map of Lomita Village Unit No. 1, a subdivision of a portion of Narragansett Heights, lying several miles east of Encanto and south of the subdivision of Monterey Heights, which is in the County, consisting of 165 lots; subject to ten conditions fully set forth in said Resolution; was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission recommending suspension of five sections of the subdivision Ordinance relative to the tentative map of Sycamore Terrace, was presented.

RESOLUTION NO. 105193, recorded on Microfilm Roll No. 46, suspending sections 3E5, 3J6, 4A8 and 6 and 5C of the Subdivision Ordinance, in connection with the Tentative Map of Sycamore Terrace, in so far as they relate to the Tentative and Final Maps, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the City Planning Commission recommending approval of the Tentative Map of Sycamore Terrace, under certain conditions, was presented.

RESOLUTION NO. 105194, recorded on Microfilm Roll No. 46, approving the Tentative Map of Sycamore Terrace, a subdivision of a portion of Pueblo Lots 1281 and 1286, fronting on La Jolla Shores Drive between Ardath Road and Avenida de la Playa, consisting of 10 parcels, subject to eight conditions fully set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission recommending suspension of five sections of the subdivision ordinance relative to the tentative map of a portion of Block J, of Tecolote Heights, was presented.

RESOLUTION NO. 105195, recorded on Microfilm Roll No. 46, suspending Sections 3J3, 3J8, 4A8 and 6; also Section 5C; of the Subdivision Ordinance, in connection with the Tentative Map of the resubdivision of Block J of Tecolote Heights, in so far as they relate to this Tentative and Final Map, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the City Planning Commission recommending approval of the Tentative Map of a portion of Block J, Tecolote Heights, under certain conditions, was presented.

RESOLUTION NO. 105196, recorded on Microfilm Roll No. 46, approving the Tentative Map of the resubdivision of a portion of Block J of Tecolote Heights, located on Cowley Way, southerly of the subdivision of Clairemont, which is easterly of Mission Bay, consisting of 15 lots; subject to four conditions fully set forth in said Resolution; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the City Attorney transmitting communication from A. E. Jansen, Chief of Police, together with attached letters from V. R. Beasley, Shipswriter of Navy Club of Southside, Ship No. 198, and Grover M. Dickman, Shipswriter of Navy Club of San Diego, Ship No. 39, surrendering Card Room Licenses; recommending that the Council accept the surrender of these licenses, and by motion order the said licenses to be cancelled; was presented.

RESOLUTION NO. 105197, recorded on Microfilm Roll No. 46, accepting the licenses heretofore surrendered by V. R. Beasley, Shipswriter of Navy Club of Southside, Ship No. 198, and Grover M. Dickman, Shipswriter of Navy Club of San Diego, Ship No. 39; and cancelling said licenses; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Application for Cabaret License at 1070 - 3rd Avenue, known as Club Royal, owned by Julius Kahn and E. I. Brodie, was presented; bearing recommendations for approval from the City Manager and from the interested City Departments.

RESOLUTION NO. 105198, recorded on Microfilm Roll No. 46, granting permission to Julius Kahn and E. I. Brodie, to conduct a cabaret with paid entertainment at Club Royal, 1070- 3rd Avenue, where liquor is sold but no dancing conducted; subject to the regular license fee, and to compliance with existing regulations; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Application for Cabaret license at 133 West Broadway, known as Carnival Room, owner H. F. Millsbaugh, was presented; bearing recommendations for approval from the City Manager and from the interested City Departments.

RESOLUTION NO. 105199, recorded on Microfilm Roll No. 46, granting permission to Hilton F. Millsbaugh, 5168 Roxbury Road, to conduct a cabaret with paid entertainment at the Carnival Room, 133 West Broadway, where liquor is sold but no dancing conducted; subject to the regular license fee, and to compliance with existing regulations; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Joseph S. Fox relative to storm damage in the vicinity of Tecolote Ditch was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, referred to the Mayor for an answer.

Communication from Mr. and Mrs. J. S. Held objecting to street light at the corner of Catalina Boulevard and La Paloma Street was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, referred to the City Manager.

Communication from Clifford S. Maher suggesting a Central Bus Terminal at Horton Plaza was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, ordered filed.

Communication from McKinley Civic Association favoring one-way traffic for downtown City streets was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered placed in a special file.

Communication from The Municipal Rose Garden Committee for The San Diego Rose Society requesting a conference relative to the establishment of a Municipal Rose Garden in Balboa Park was presented and on motion of Councilman Kerrigan, seconded by Councilman Wincote, referred to Council Conference; said conference to be held three weeks from last Tuesday.

Communication from the San Diego Junior Chamber of Commerce thanking the Council for assistance in connection with this year's Tournament of Roses Parade float was presented. On motion of Councilman Schneider, seconded by Councilman Kerrigan, the Communication was ordered filed.

RESOLUTION NO. 105200, recorded on Microfilm Roll No. 46, requesting the City Attorney to prepare a Resolution commending the San Diego Junior Chamber of Commerce for work on the January 1, 1952, Tournament of Roses Parade float, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Attorney Donald A. Stewart, representing Mr. V. R. Dennis, stating that the proposed contract for installation of sewer mains in Balboa Avenue et al, under Resolution of Intention No. 104055 is void was presented.

Attorneys Donald A. Stewart and Jean F. DuPaul explained the situation to the Council.

Attorney Stewart stated that the contractor wants his bond cancelled. After a brief discussion, the matter was referred to the City Attorney.

Communication from Mrs. Alex Kalish relative to dogs roaming the streets near 5976 Redwood Street was presented and on motion of Councilman Godfrey, seconded by Councilman Dail, ordered filed.

Communication from Grant M. Webster favoring strict enforcement of the Dog Control Ordinance was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Stanley S. Ziegler; advising that the case was closed by the payment of \$52.54; was presented and on motion of Councilman Godfrey, seconded by Councilman Dail, ordered filed.

Application of John A. McCarthy for variance to provisions of the sign ordinance for Neon Display on building at 7857 Girard Avenue, La Jolla, advertising the McCarthy Pharmacy, was presented.

The Electrical Products Company were represented by a Mr. Mayer. This Company expected to install the neon signs for the McCarthy Pharmacy.

Glenn Rick, of the City Planning Commission, stated that the signs on the marquee were in violation of the architectural control at La Jolla, and violated the existing sign ordinance. He stated the matter had been considered by the Planning Commission, and the action was "Yes" to the "McCarthy Pharmacy" sign against the building and "No" to the marquee signs.

Mrs. Edwina Chafferead notes on the matter of these signs, taken at the last meeting of the City Planning Commission.

Glenn Rick stated that the matter of Architectural Control at La Jolla was involved. He explained the matter of enforcement of Architectural Control.

The matter of the existing sign ordinance was discussed at length. The representative of the Electrical Products Company spoke of the difficulties in getting permits for Neon Display Signs under the existing Ordinance.

All interested persons having been heard, RESOLUTION NO. 105201, recorded on Microfilm Roll No. 46, referring to the City Attorney the application of John A. McCarthy d.b.a. McCarthy Pharmacy, 7857 Girard Avenue, La Jolla, California, for permission to install Neon Sign Display on building at 7857 Girard Avenue, contained in Document No. 443801, for an opinion as to whether the signs will comply with Ordinance No. 4648 (New Series), (Sign Ordinance); and also to the City Planning Commission for a written report as to how these proposed signs violate the Architectural Control regulations in the La Jolla area; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105202, recorded on Microfilm Roll No. 46, approving the request of Walter H. Barber contained in Change Order No. 5, for an extension of time of 31 days, to-wit, to and including February 8, 1952, filed under Document No. 443861; in which to complete his contract for the construction of the 54-inch outfall sewer at the Sewage Treatment Plant; which said contract is contained in Document No. 434680; extending the time of completion under said contract to February 8, 1952; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105203, recorded on Microfilm Roll No. 46, granting the request of the City Engineer, approved by the City Manager, as contained in Document No. 443863, for an extension of time of nine days to H. H. Peterson; to and including the 10th day of December, 1951, in which to complete the contract for the construction of Sewer Crossings - Torrey Pines Road, contained in Document No. 437785; waiving the provisions of the specifications for said work with respect to liquidated damages until the termination of the contract period, to-wit: December 10, 1951; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105204, recorded on Microfilm Roll No. 46, granting permission to L. C. Kohlepp, 1603 Linwood Street, to connect the houses at 1506, 1508, 1510 and 1512 West Upas Street (which have heretofore been connected to common cesspool which has caved in) to the City sewer main, by means of one soil pipe through Lots 6 and 7, to a connection at 3509 State Street; upon the express condition that the City of San Diego shall be held free and clear of any claim for damages by reason of the installation, operation and maintenance of said sewer line; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105205, recorded on Microfilm Roll No. 46, accepting the subordination agreement, executed by La Jolla Investment Company, as successor-trustee, and Dry Dock Savings Bank, as beneficiary, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 2, Pueblo Lot 1783, according to Map thereof No. 839, to the right of way and easement for alley purposes heretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; authorizing and directing the City Clerk to transmit the said subordination agreement, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105206, recorded on Microfilm Roll No. 46, accepting the deed of Donald J. Walker and Velma S. Walker, Juanita Steiger and Etta E. Steiger and Bruce Stallard and Virginia C. Stallard, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Pueblo Lot 183 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe, known as Miscellaneous Map No. 36; setting aside and dedicating to the public use the lands therein conveyed, as and for a public street; and naming the same Albion Street; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105207, recorded on Microfilm Roll No. 46, accepting the deed of R. E. Hazard Contracting Company, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes, through, along and across a portion of Pueblo Lots 1106 and 1174 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe, a copy of which is filed as Miscellaneous Map No. 36; setting aside and dedicating the lands therein conveyed to the public use as and for a public street, and naming the same Friars Road; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105208, recorded on Microfilm Roll No. 46, accepting the deed of Selmar R. Siebert, executed in favor of The City of San Diego, conveying to said City a portion of Lot Three in Block 381, Old San Diego, according to Map thereof made by James Pascoe, a copy of which is filed as Miscellaneous Map No. 40; setting aside and dedicating to the public use as and for a public street the lands therein conveyed, and naming the same Morena Boulevard; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105209, recorded on Microfilm Roll No. 46, accepting the deed of F. M. Burdette and Violet L. Burdette, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 1, Block 520, Old San Diego, according to Map thereof by James Pascoe, a copy of which is filed as Miscellaneous Map No. 40; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105210, recorded on Microfilm Roll No. 46, accepting the deed of Joseph Dentone and Louise Dentone, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 1, Block 39, Middletown, according to partition map thereof by J. E. Jackson; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105211, recorded on Microfilm Roll No. 46, accepting the deed of Louis Feller and Bertha Feller, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes, through, along and across a portion of Lot 14, Block 15, Marilou Park, according to Map thereof No. 517; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105212, recorded on Microfilm Roll No. 46, accepting the deed of Louie C. Kohlepp, executed in favor of the City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lots 6 and 7, Block 148, Middletown, according to Map thereof by J. E. Jackson;

authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, of record in the Office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105213, recorded on Microfilm Roll No. 46, accepting the deed of Lloyd F. Jones and Iona Belie Jones, executed in favor of The City of San Diego, conveying to said City an easement and right of way for public sewer purposes through, along and across a portion of Lots 271 and 272, Talmadge Park Unit No. 2, according to Map thereof No. 1878; authorizing and directing the City Clerk to file the said deed and certified copy of Order Authorizing Conveyance of Easement to City of San Diego, bearing San Diego County Superior Court Case No. 46454, of record in the Office of the County Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105214, recorded on Microfilm Roll No. 46, accepting the deed of Rolla Oliver Phillips and Margaret L. Phillips, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lots 26 and 27, Block 38, Ocean Beach, according to Map thereof No. 279; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this Resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105215, recorded on Microfilm Roll No. 46, accepting the deed of Percival H. Burrows and Juanita H. Burrows, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 162 of Plumosa Manor Unit No. 2, according to Map thereof No. 2721; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105216, recorded on Microfilm Roll No. 46, accepting the deed of Virgil S. Kipp, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 33, Block 4, First Addition to Pacific Beach Vista Tract, according to Map thereof No. 930; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105217, recorded on Microfilm Roll No. 46, accepting the deed of Alan J. McCutcheon and Elizabeth C. McCutcheon, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 163, Plumosa Manor Unit No. 2, according to Map thereof No. 2721; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

ORDINANCE NO. 5056, New Series, recorded on Microfilm Roll No. 46, appropriating the sum of \$4,450.00 from the Unappropriated Balance of The City of San Diego, and transferring the same to the Planning Department Fund of said City; to Salaries and Wages, \$2,450.00; to Maintenance and Support, \$2,000.00; was on motion of Councilman Godfrey, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

RESOLUTION NO. 105218, recorded on Microfilm Roll No. 46, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted, reading as follows:

"RESOLUTION NO. 105218.

WHEREAS, this Council has learned with sorrow of the death of Major General Ralph H. Van Deman, U.S.A. retired; and

WHEREAS, for many years Ralph H. Van Deman has been active not only in civic affairs and functions but also had faithfully and loyally served The City of San Diego as a member of the Harbor Commission of said City; and

WHEREAS, Ralph H. Van Deman has unselfishly devoted his time and efforts in the direction of National and Municipal security, both as a civilian and as a member of advisory intelligence service in World War II; and

WHEREAS, Ralph H. Van Deman has devoted his life to the service of the public in a distinguished, unselfish and loyal manner; and

WHEREAS, this Council feels that his passing will be reflected as a loss not only to the people of San Diego but also to the people of the entire country, and that the passing of Ralph H. Van Deman will mark the closing of a distinguished career of public service; NOW, THEREFORE,

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

That on behalf of the officers and employees of The City of San Diego and of the people of this City this Council expresses its regret over the passing of Major General Ralph H. Van Deman, and offers and extends to his bereaved family the consolation of the people of The City of San Diego.

BE IT FURTHER RESOLVED, that the City Clerk of said City be, and he is hereby directed to forward a certified copy of this resolution to the widow and sister of said Ralph H. Van Deman."

RESOLUTION NO. 105219, recorded on Microfilm Roll No. 46, approving and confirming the appointment by the Mayor of The City of San Diego of Mr. Louis H. Kornik as a member of the Civil Service Commission of The City of San Diego to fill the vacancy caused by the resignation of Mr. George A. Scott, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105220, recorded on Microfilm Roll No. 46, amending Resolution No. 105058, passed January 10th, 1952, relative to the acquisition of lands for a public freeway, to be known as Morena Boulevard, by deleting from the description of Parcels 24, 25, 28, 29 and 30 the following paragraph:

"Together with any abutter's right of access appurtenant to the remainder of the property, of which the above described parcel is a part, in and to Morena Boulevard."

so that the action in eminent domain with respect to the above parcels of property shall not be a taking of the owners' access rights appurtenant to the remainder of the property; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

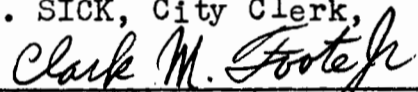
There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 11:45 A.M., until Friday, January 25th, 1952, at the hour of 11:45 A.M., on motion of Councilman Kerrigan, seconded by Councilman Godfrey.



Mayor of The City of San Diego, California.

(ATTEST):
FRED W. SICK, City Clerk,

By



Deputy.

ADJOURNED REGULAR MEETING
Chamber of the Council of The City of San Diego, California,
Friday, January 25th, 1952

An Adjourned Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 11:45 o'clock A.M.

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

ORDINANCE NO. 5057 (New Series), recorded on Microfilm Roll No. 46, Ordering, calling, providing for and giving notice of a special municipal election to be held in said City on February 26th, 1952, for the purpose of submitting to the qualified voters of said City a proposition to incur bonded indebtedness by said City for a certain Municipal Improvement, and consolidating said special municipal election with the San Diego County Water Authority Election to be held on said date; providing that the ballots to be used at said special municipal election shall be printed substantially as follows:

"CITY OF SAN DIEGO WATER BOND PROPOSITION:	:	:	:
Shall The City of San Diego incur a bonded	:	:	:
indebtedness in the principal sum of \$6,500,000	:	:	:
for the acquisition and construction by said	:	:	:
City of a certain municipal improvement for the	:	:	:
development, conservation and furnishing of water,	:	YES	:
to-wit: the construction and completion of the	:	:	:
Sutherland Dam, the acquisition of lands, water	:	:	:
rights and water bearing lands, in and adjacent	:	:	:
to the San Dieguito River and its tributaries,	:	:	:
and the construction of a water conduit or trans-	:	:	:
mission main from Sutherland Dam approximately	:	:	:
to San Vicente Reservoir, including the acquisi-	:	NO	:
tion of all lands, easements, pipe, apparatus and	:	:	:
property necessary therefor?	:	:	:"

was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Swan and Dail.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan and Dail.

Prior to the final reading a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5058, (New Series), recorded on Microfilm Roll No. 46, Ordering, calling, providing for and giving notice of a special Municipal Election to be held in The City of San Diego, California, on February 26th, 1952, for the purpose of submitting to the qualified voters of said City a proposition to approve a Contract between The City of San Diego and The United States of America authorizing the construction of a second Aqueduct for Colorado River Water, and consolidating said special Municipal Election with a special Municipal Election to be held in said City on February 26th, 1952, for the purpose of submitting a proposition to incur a bonded indebtedness; and also consolidating said special Municipal Election with the San Diego County Water Authority Election to be held on said date; providing that the ballots to be used at said special Municipal Election shall be printed substantially as follows:

"CITY OF SAN DIEGO PROPOSITION TO APPROVE COLORADO RIVER SECOND AQUEDUCT CONTRACT:	:	:	:
Shall that certain contract heretofore	:	:	:
executed by the City Manager between The City	:	YES	:
of San Diego and the United States of America	:	:	:
authorizing the construction of the Colorado	:	:	:
River Second Aqueduct, a copy of which is on	:	:	:
file in the City Clerk's Office under Docu-	:	:	:
ment No. 442498, and entitled, "Contract NOy-	:	:	:
13300. Collateral Agreement to Supplemental	:	:	:
Agreement No. 4 between United States of Amer-	:	NO	:
ica and San Diego County Water Authority," be	:	:	:
approved?	:	:	:"

was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Swan and Dail.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan and Dail.

Prior to the final reading a written or printed copy thereof was furnished to each member of the Council.

RESOLUTION NO. 105221, recorded on Microfilm Roll No. 46, respectfully requesting the Board of Supervisors of the County of San Diego to permit the Registrar of Voters of the County of San Diego to render the following specified services to the City relating to the conduct of said consolidated municipal elections, described in Ordinances Nos. 5057 (New Series) and 5058 (New Series); such services to be performed by said Registrar of Voters under the supervision and direction of the City Clerk:

(1) To have the requisite number of sample ballots and official ballots printed.

(2) To insert the sample ballots into envelopes for mailing, and to cause the same to be mailed, as required by law.

(3) To provide the necessary Rosters and Tally Books.

(4) To issue absentee ballots, as required by law.

(5) To receive the election returns and supplies.

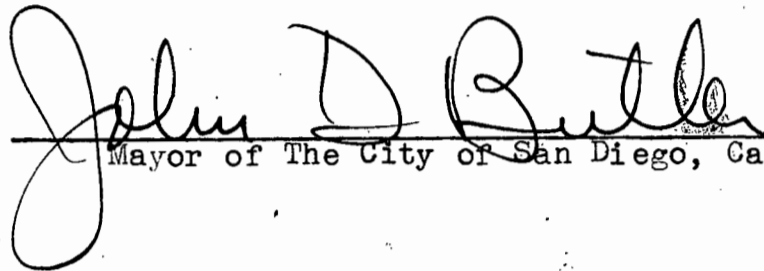
(6) To canvass the returns of the election, including the absentee ballots.

(7) To furnish a tabulation of the number of votes given in each precinct for each proposition.

ALSO, providing that an amount of 10% in excess of the estimated cost of the services requested of the County be reserved from City funds in such a manner that a sum equal to the actual cost of the services may be transferred by the City to the County when the work is completed or the goods supplied upon presentation to the City of a properly approved bill from the County;

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

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 11:55 AM., on motion of Councilman Kerrigan, seconded by Councilman Godfrey.



Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By


Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, January 29th, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:07 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor
Butler.

Absent----Councilman Godfrey.
Clerk-----Fred W. Sick.

The Minutes of the Regular Meetings of Tuesday, January 22nd, 1952, and of Thursday, January 24th, 1952, and of the Adjourned Regular Meeting of Friday, January 25th, 1952, were presented to the Council by the Clerk.

On motion of Councilman Kerrigan, seconded by Councilman Swan, said Minutes were approved without being read, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the Demolition and Removal of Old Morena Boulevard Bridge over the San Diego River, under Specification No. 214 (W.O.65300), as contained in Document No. 442010, the Clerk reported that seven bids had been received, which bids were presented to the Council.

On motion, duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Sim J. Harris Company, accompanied by a bond from Pacific Indemnity Company in the sum of 10% of the amount bid; which bid was given Document No. 444094;

The bid of Pace Construction Co., accompanied by a bond from American Surety Company of New York in the sum of \$1,000.00; which bid was given Document No. 444095;

At this time Councilman Godfrey entered and took his place on the Council.

The bid of National Metal & Steel Corp., accompanied by Cashier's Check No. 6363686 on the Bank of America in the sum of \$500.00; which bid was given Document No. 444096;

The bid of Guy F. Atkinson Company, accompanied by a bond from the Fidelity and Deposit Company of Maryland in the sum of 10% of the amount of the attached bid; which bid was given Document No. 444097;

The bid of R. E. Hazard Contracting Co., accompanied by a bond from the Pacific Indemnity Company in the sum of 10% of the amount bid; which bid was given Document No. 444098;

The bid of D. M. Sandling, accompanied by a Certified Check No. 1448 drawn on American Trust Co., San Pablo, California in the sum of \$130.00; which bid was given Document No. 444099;

The bid of Macco Corporation, accompanied by a bond from the Fidelity and Deposit Company of Maryland, in the sum of 10% of the amount of the attached bid; which bid was given Document No. 444100.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the installation of various Distribution Mains in San Diego, California, under plans and specifications contained in Document No. 443160, the Clerk reported that seven bids had been received, which bids were presented to the Council.

On motion, duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of E. C. Losch Company, accompanied by a bond from the Fidelity and Deposit Company of Maryland in the sum of Ten Percent of the amount of the bid; which bid was given Document No. 444101;

The bid of L. B. Butterfield, accompanied by a bond from Maryland Casualty Company in the sum of 10% of the Amount of Bid; which bid was given Document No. 444102;

The bid of Northwest Excavating Co., accompanied by a bond from Saint Paul Mercury Indemnity Company in the sum of 10% of the Amount of the Bid; which bid was given Document No. 444103;

The bid of W. A. Robertson & Co., accompanied by a bond from the Fidelity and Deposit Company of Maryland in the sum of Ten Percent of the Amount of the Bid; which bid was given Document No. 444104;

The bid of V. R. Dennis Construction Co., accompanied by a bond from the American Surety Company of New York in the sum of 10% of the aggregate sum of the Bid; which bid was given Document No. 444105;

The bid of William T. Reetz., accompanied by a bond from Saint Paul Mercury Indemnity Company in the sum of 10% of the largest amount bid; which bid was given Document No. 444106;

The bid of Walter H. Barber, accompanied by a bond from the Hartford Accident and Indemnity Company in the sum of ten percentum of the amount of the accompanying bid; which bid was given Document No. 444107.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Dail, said bids were referred to the City Manager and the City Attorney for report and recommendation.

At this time the Mayor welcomed provisionals of the Junior League, headed by Katherine Scales. He invited them up to the Mayor's office for coffee after the meeting; and explained the method of passing rapidly through the calendar list; after having a Conference on certain items before the Tuesday morning meeting. Nine young ladies stood in response to his request.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the grading, sidewalking, and otherwise improving of Commonwealth Avenue, Laurel Street and Boundary Street, under Resolution of Intention No. 104511; within the limits and as particularly described in said Resolution of Intention; the Clerk reported that five bids had been received, which bids were presented to the Council.

On motion, duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Al E. Riley, Inc., accompanied by a bond from The Fidelity and Casualty Company of New York, in the sum of \$500.00; which bid was given Document No. 444108;

The bid of R. E. Hazard Contracting Co., accompanied by a bond from the Pacific Indemnity Company in the sum of \$400.00; which bid was given Document No. 444109;

The bid of V. R. Dennis Construction Co., accompanied by a bond from the American Surety Company of New York in the sum of \$500.00; which bid was given Document No. 444110;

The bid of T. B. Penick & Sons, accompanied by a bond from the Massachusetts Bonding and Insurance Company in the sum of \$500.00; which bid was given Document No. 444111;

The bid of John B. Henry, accompanied by a bond from The Fidelity and Casualty Company of New York in the sum of \$400.00; which bid was given Document No. 444112.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2045, made to cover the costs and expenses of the paving and otherwise improving of Dawes Street, Emerald Street, Everts Street and Felspar Street, under Resolution of Intention No. 101111, the Clerk reported that written appeals had been received from Herbert G. Dyer and Ernest Johnson; which appeals were presented and read.

The City Engineer explained the issues involved in the two appeals.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to submit an oral appeal.

All interested persons having been heard, RESOLUTION NO. 105222, recorded on Microfilm Roll No. 46, overruling and denying the appeal of Herbert G. Dyer, 1666 Arcade Boulevard, San Diego, California, filed on January 25, 1952, under Document No. 443986, from the Street Superintendent's Assessment No. 2045, made to cover the costs and expenses of the work of grading, paving and otherwise improving Dawes Street, Emerald Street, Everts Street and Felspar Street, under Resolution of Intention No. 101111; overruling and denying all other appeals, written or verbal, except the appeal of Ernest Johnson, contained in Document No. 443640, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105223, recorded on Microfilm Roll No. 46, sustaining the appeal of Ernest Johnson, 3862 Riviera Drive, San Diego, California, filed under Document No. 443640; from the Street Superintendent's Assessment No. 2045, made to cover the costs and expenses of the work of grading, paving and otherwise improving Dawes Street, Emerald Street, Everts Street and Felspar Street, under Resolution of Intention No. 101111; requesting the Street Superintendent of the City of San Diego to amend and modify Assessment No. 2045, insofar as it affects the property of Ernest Johnson and Mrs. Thelma P. Holmes, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the assessment Roll No. 2045 was referred back to the Street Superintendent for making the change and modification authorized in Resolution No. 105223.

The hour of 10:00 o'clock AM. having arrived, the time set for hearing protests against the proposed closing of Idaho Street, westerly 18.00 feet, between El Cajon Boulevard and Polk Avenue, including portions of the intersections of Idaho Street with Howard and Polk Avenues, a written protest from E. L. Bartlett was presented and read.

Glenn Rick explained the need for a larger area for the University Heights Reservoir.

The situation was discussed by individual Councilmen.

Thereupon, the Mayor inquired if any interested persons were present who desired to be heard.

Mr. E. L. Bartlett, 2111 Newton Avenue, protested orally. He mentioned the danger of the wall of the reservoir caving in; also, the impediment to traffic to be caused by the proposed closing.

Councilman Kerrigan mentioned that the proposed new construction will be north of Howard Avenue, closed.

Mr. Paul Beerman, of the Water Development Department, confirmed this statement. He also said that the new construction would extend to the present west curb line on Idaho Street.

Mr. E. L. Bartlett made further oral objections to the closing.

All interested persons having been heard, RESOLUTION NO. 105224, recorded on Microfilm Roll No. 46, overruling and denying the protest of E. L. Bartlett, filed under Document No. 443009, against the proposed closing of Idaho Street, between Howard Avenue and Polk Avenue, under Resolution of Intention No. 104592; overruling and denying all other protests; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, the proceedings were referred to the City Attorney.

Claim of Harley W. Bailey for \$48.70 based on damage to his automobile, involving a collision with City-owned equipment, was presented.

RESOLUTION NO. 105225, recorded on Microfilm Roll No. 46, referring the claim of Harley W. Bailey, contained in Document No. 443851, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Claim of Mrs. Barbara E. Tessman for \$10.00, based on damage to mail box and shrubs at 5480 Redwood Street by a City trash truck, was presented.

RESOLUTION NO. 105226, recorded on Microfilm Roll No. 46, referring the claim of Mrs. Barbara E. Tessman, contained in Document No. 443852, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, approved by the City Manager, submitting Resolution rejecting bids received for installation of a pelletizing system at the Sewage Treatment Works; stating that the plans have been revised, and new plans prepared; and submitting a resolution authorizing the readvertising for bids; was presented.

RESOLUTION NO. 105227, recorded on Microfilm Roll No. 46, rejecting the bid received from the Rogers Construction Company, on January 8, 1952, for installation of a pelletizing system at the Sewage Treatment Works, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105228, recorded on Microfilm Roll No. 46, approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of a pelletizing system at the Sewage Treatment Works, bearing Document No. 444049; approving the wage scale contained in said specifications; authorizing and directing the Purchasing Agent to proceed to publish in accordance with law, notice to contractors calling for bids for the work hereinabove described, in accordance with the plans and specifications referred to; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105229, recorded on Microfilm Roll No. 46, authorizing and directing the Purchasing Agent to purchase approximately 2500 tons of riprap at approximately \$3.35 per ton, and to rent the required construction equipment for the placing thereof, in the open market, without advertising for bids therefor, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, recommending bids for furnishing Cement Burial Boxes, was presented.

RESOLUTION NO. 105230, recorded on Microfilm Roll No. 46, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with Sectional Cement Burial Boxes for a period of one year beginning March 1, 1952, in accordance with Notice to Bidders, Specifications, Bidding instructions and Requirements, on file in the Office of the City Clerk bearing Document No. 444053; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, recommending accepting bid of Radio Corporation of America, the sole bidder, for furnishing not less than seven nor more than thirteen radio transmitter-receivers, at a price of \$417.50 each, plus State sales tax; also, recommending award of contract; was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, consideration of this matter was continued until Thursday, January 31st, 1952.

RESOLUTION NO. 105231, recorded on Microfilm Roll No. 46, approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of Mission Boulevard storm drain, under Document No. 444057; approving the wage scale contained in said specifications; authorizing and directing the Purchasing Agent to proceed to publish, in accordance with law, notice to contractors calling for bids for the work hereinabove described, in accordance with the plans and specifications hereinabove referred to; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on the sale of scrap cast iron from Wightman Street water main; three bidders being present; stating that the Reliable Pipe & Supply Company of San Diego obtained the cast iron scrap at a price of \$43.50 per ton; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted, as a recommendation; and the communication ordered filed.

Communication from the Planning Commission recommending the rezoning of a portion of Lot 7 of La Mesa Colony from Zone R-1 to Zone R-4, was presented and read.

Written protests against the proposed rezoning were presented and read.

Glenn Rick suggested a compromise, using Zone R-2 instead of Zone R-4; R-2 Zone to be established on the south side of Acorn Street and R-4 Zone to be established on the north side of Acorn Street.

Attorney Sherman Platt, representing Mr. E. Earl Allen, spoke. He submitted maps showing zoning in the area. He objected to traffic from the existing drive-in theatre using 52nd Street. This occasioned heavy traffic at the end of feature pictures at the Campus Theatre. He stated that an R-4 Zone was needed as a buffer zone between business district and existing residential sections. He said the property in question is now surrounded by C and R-4 Zones; and stated that the R-4 Zone would not hurt property values in El Cerrito Terrace Unit No. 1. More remarks favoring the proposed rezoning were made by Attorney Platt during the discussion. Mr. E. Earl Allen spoke for the zoning.

The Mayor inquired if any protestants desired to be heard.

Mr. Sterling H. Haist, of 6146 Madeline Street protested against the proposed R-4 Zone. He claimed this change in zone would reduce property values in his block.

All interested persons having been heard, RESOLUTION NO. 105232, recorded on Microfilm Roll No. 46, granting the petition for rezoning of Lot 7 of La Mesa Colony, as recommended by the City Planning Commission; directing the City Attorney to prepare the necessary ordinance to place that portion of the subject property lying south of Acorn Street in Zone R-2 and that portion lying north of Acorn Street in Zone R-4; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

All papers in connection with the matter were referred to the City Attorney.

Communication from the City Planning Commission recommending approving the final map of Cabrillo Heights was presented.

RESOLUTION NO. 105233, recorded on Microfilm Roll No. 46, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Western Area Housing Company, a corporation, for the installation and completion of the unfinished improvements and the setting of the monuments required for Cabrillo Heights; and directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105234, recorded on Microfilm Roll No. 46, authorizing and directing the filing of, and adopting the Map of Cabrillo Heights, and accepting the public streets, alleys, walkway and unnamed easements therein, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission recommending suspension of sections of the Subdivision Ordinance relative to three conditions relating to the Tentative Map of Whitefield, was presented.

RESOLUTION NO. 105235, recorded on Microfilm Roll No. 46, suspending Sections 4A8 and 6 and Section 5C of the Subdivision Ordinance in so far as they relate to the Tentative and Final Maps of Whitefield, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the City Planning Commission recommending approval of the Tentative Map, revised, of Whitefield, was presented.

RESOLUTION NO. 105236, recorded on Microfilm Roll No. 46, approving the Tentative Map of Whitefield, a subdivision of a portion of Lots 36 and 37 of La Mesa Colony, lying north of Saranac Street, midway between 68th and 69th Streets, consisting of 29 lots, subject to ten conditions fully set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission recommending the rezoning of portions of Bayview Homestead was presented.

RESOLUTION NO. 105237, recorded on Microfilm Roll No. 46, granting the petition for rezoning portions of Bayview Homestead, in the vicinity of 8th Avenue and Ash Street, from Zone R-4 to Zone C; as recommended by the City Planning Commission under Document No. 443843; directing the City Attorney to prepare the necessary ordinance to effect such rezoning; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission recommending re-zoning Blocks D, E and F, Montecello from Zone R-1 to Zone R-2; was presented.

RESOLUTION NO. 105238, recorded on Microfilm Roll No. 46, granting the petition for rezoning all of Blocks D, E and F, Montecello, from Zone R-1 to Zone R-2; as recommended by the City Planning Commission under Document No. 443846; directing the City Attorney to prepare the necessary ordinance to effect such rezoning; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the City Planning Commission recommending re-zoning portions of Blocks 162 and 185, Pacific Beach, from Zone R-1 to Zone R-4, was presented.

RESOLUTION NO. 105239, recorded on Microfilm Roll No. 46, adopting the recommendation of the City Planning Commission bearing Document No. 443847, for rezoning of Lots 1 to 10, inclusive, Block 185, Pacific Beach; Lots 1 to 10 and Lots 30 to 40, inclusive, Block 162, Pacific Beach, from Zone R-1 to Zone R-4; directing the City Attorney to prepare the necessary ordinance to effect such rezoning; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from the City Planning Commission recommending re-zoning portions of Block H, Redland Gardens Extension; and portions of Collwood Unit No. 1;

and portion of Lot 13, Redland Tract; from Zone RC to Zone R-1; was presented.

RESOLUTION NO. 105240, recorded on Microfilm Roll No. 46, granting the petition for rezoning the four corners of 54th Street and Adams Avenue from Zone RC to Zone R-1; as recommended by the City Planning Commission under Document No. 443842; directing the City Attorney to prepare the necessary ordinance to effect such rezoning; was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission recommending rezoning portions of Blocks "B" and "C" in Wells and Lane's Tecolote Heights, Map 1487, from Zone R-1 to Zone R-2; was presented.

RESOLUTION NO. 105241, recorded on Microfilm Roll No. 46, granting the petition for rezoning Lots 1 to 24, inclusive, Block B, and Lots 1 to 11, inclusive, Block C, Tecolote Heights, from Zone R-1 to Zone R-2; as recommended by the City Planning Commission under Document No. 443848; directing the City Attorney to prepare the necessary ordinance to effect such rezoning; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Engineer recommending combining paving proceedings for Missouri Street, Jewell Street, et al., approved by the City Manager, was presented.

RESOLUTION NO. 105242, recorded on Microfilm Roll No. 46, adopting the recommendation of the City Engineer filed under Document No. 443893; and authorizing the said City Engineer to amend the proceedings for the improvement of Jewell Street, between Chalcedony Street and the south line of Missouri Street, to include the improvement of Missouri Street, between Jewell Street and the dead end easterly of Lamont Street and including a portion of Acre Lot 51, Pacific Beach, in accordance with said recommendation; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending filing communication from Mrs. Charles Hammond offering to deed a 25-foot easement for access road in Pueblo Lot 1119, under certain conditions, was presented and on motion of Councilman Wincote, seconded by Councilman Dail, ordered filed; together with the communication from Mrs. Charles Hammond.

Communication from the Street Superintendent recommending denial of petition for closing a portion of Emory Street, in the vicinity of Hancock Street, was presented.

RESOLUTION NO. 105243, recorded on Microfilm Roll No. 46, denying the petition for the closing of Emory Street, from the westerly line of Hancock Street to the easterly line of the Santa Fe Railroad Right of Way, contained in Document No. 441757; as recommended by the Street Superintendent; was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

Communication from the City Manager recommending filing communication from the San Diego Chapter of the American Institute of Architects offering the services of that organization in any review of the Sign Ordinance, was presented and on motion of Councilman Wincote, seconded by Councilman Schneider, ordered filed; together with the communication from the San Diego Chapter of the American Institute of Architects.

Communication from the City Manager recommending filing communication from G. A. Dougherty, Display Space Representative for the Fourth Annual Home Show, suggesting a water conservation exhibit at the show, was presented, and on motion of Councilman Wincote, seconded by Councilman Kerrigan, ordered filed; together with the communication from G. A. Dougherty.

Communication from the City Manager recommending filing petition of property owners for the improvement of a portion of Narragansett Avenue, between Chatsworth Boulevard and Warrington Street; stating that the final easement is being obtained; was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed; together with the improvement petition.

Communication from the San Diego County Fair inviting the City to participate in the 1952 Fair, from June 27th through July 6th; requesting a City exhibit; was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, referred to the City Manager.

Communication from Mrs. E. F. VonDreden relative to a dangerous intersection at the intersection of Arizona Street with Collier Avenue, was presented, and on motion of Councilman Schneider, seconded by Councilman Swan, referred to the City Manager.

Communication from The Guadalupe Committee relative to a religious census to be taken by the San Diego Council of Churches, was presented and on motion of Councilman Dail, seconded by Councilman Godfrey, referred to the City Manager.

Communication from A. Maranto requesting the City to repair damage done to his property by City Workmen during the recent storm was presented and on motion of Councilman Godfrey, seconded by Councilman Swan, referred to the City Manager.

By Unanimous Consent, a communication from Violet Beck relative to need for a storm drain in Chollas Valley, south of Market Street, was presented.

Mrs. Violet Beck was heard in connection with this communication.

Mrs. Beck requested a definite commitment by the City Council concerning the installation of such a storm drain, starting at the Market Street Bridge, and extending southerly toward the Bay. She stated that it was her understanding that this work would be commenced in the near future.

The matter of former Council action in connection with Chollas Valley flood control was explained by the Mayor and Councilmen Wincote and Godfrey. Councilman Wincote stated that there seemed to be a misunderstanding on the part of Mrs. Beck as to the amount of work the City proposed to undertake at public expense.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, the communication from Mrs. Violet Beck, contained in Document No. 444235, was referred to the City Manager.

RESOLUTION NO. 105244, recorded on Microfilm Roll No. 46, directing notice of filing of assessment and of the time and place of hearing thereon, under Assessment No. 2052, made to cover the costs and expenses of the work done upon paving and otherwise improving of Fortuna Avenue, under Resolution of Intention No. 101714, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105245, recorded on Microfilm Roll No. 46, directing notice of filing of assessment and of the time and place of hearing thereon, under Assessment No. 2053, made to cover the costs and expenses of the work done upon paving and otherwise improving of Reed Avenue, between Dawes Street and Gresham Street, under Resolution of Intention No. 101050, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 105246, recorded on Microfilm Roll No. 46, awarding to V. R. Dennis Construction Co. the contract for paving and otherwise improving of the Alley in Block 20, City Heights, as described in Resolution of Intention No. 104447, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 105247, recorded on Microfilm Roll No. 46, awarding to Al E. Riley, Inc. a corporation, the contract for paving and otherwise improving of Playa Del Norte Street and Neptune Place, as described in Resolution of Intention No. 104449, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105248, recorded on Microfilm Roll No. 46, approving plans and specifications, contained in Document No. 443767, for the paving and otherwise improving of the Alley in Block 11, La Jolla Strand; and approving Plat No. 2312, showing the exterior boundaries of the assessment district; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105249, recorded on Microfilm Roll No. 46, approving plans and specifications, contained in Document No. 443858, for the paving and otherwise improving the northerly and southerly Alley and the easterly and westerly Alley in Block 79, Subdivision of Acre Lots 12 to 15, Inc., 39 to 41, inc. and portions of Acre Lots 16, 37, 45 and 46 and Blocks 150 and 151 of Pacific Beach; and approving Plat No. 2309, showing the exterior boundaries of the assessment district; was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105250, recorded on Microfilm Roll No. 46, approving plans and specifications, contained in Document No. 443770, for the paving and otherwise improving of Olivet Street, between the southerly line of Villa Tract, La Jolla Park, and Ivanhoe Avenue East; and Cabrillo Avenue, between the southerly line of Villa Tract, La Jolla Park and the southerly line of Pearl Street; and approving Plat No. 2184, showing the exterior boundaries of the assessment district; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105251, recorded on Microfilm Roll No. 46, approving plans and specifications, contained in Document No. 443772, for the paving and otherwise improving of Puterbaugh Street, between Pringle Street and a line 240.00 feet northwesterly from the northwesterly line of Pringle Street; and approving Plat No. 2311, showing the exterior boundaries of the assessment district; was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 105252, recorded on Microfilm Roll No. 46, for the paving and otherwise improving of the Alley in Block 13, Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 104766, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 105253, recorded on Microfilm Roll No. 46, for the paving and otherwise improving of Tourmaline Street, Bayard Street, Opal Street and Loring Street, within the limits and as particularly described in Resolution of Intention No. 104767, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 105254, recorded on Microfilm Roll No. 46,

for the closing of portions of Chamoune Avenue and Norwood Street, in Edgemont Sub-division, according to Map No. 1294, as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105255, recorded on Microfilm Roll No. 46, for paving and otherwise improving of the Alley in Block 11, La Jolla Strand, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105256, recorded on Microfilm Roll No. 46, for paving and otherwise improving of the Northerly and Southerly Alley and the Easterly and Westerly Alley in Block 79, Subdivision of Acre Lots 12 to 15, inc., 39 to 41, inc., and portions of Acre Lots 16, 37, 45 and 46 and Blocks 150 and 151 of Pacific Beach; together with a portion of Law Street; within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105257, recorded on Microfilm Roll No. 46, for paving and otherwise improving a portion of Olivet Street, between the southerly line of Villa Tract La Jolla Park and Ivanhoe Avenue East; and a portion of Cabrillo Avenue, between the southerly line of Villa Tract La Jolla Park and the southerly line of Pearl Street; within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105258, recorded on Microfilm Roll No. 46, for paving and otherwise improving a portion of Puterbaugh Street, between the northwesterly line of Pringle Street and a line parallel to and distant 240.00 feet northwesterly from the northwesterly line of Pringle Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105259, recorded on Microfilm Roll No. 46, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the work of paving and otherwise improving of the Alley in Block 20, Fairmount Addition to City Heights; within the limits and as particularly described in said Resolution; was on motion of Councilman Swan, seconded by Councilman Godfrey; adopted.

RESOLUTION NO. 105260, recorded on Microfilm Roll No. 46, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the work of paving and otherwise improving of the Alley in Block 6, Mountain View; within the limits and as particularly described in said Resolution; was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105261, recorded on Microfilm Roll No. 46, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the work of paving and otherwise improving of the Alley in Block F, Referee's Partition Map of East One-Half of Pueblo Lot 1110; within the limits and as particularly described in said Resolution; was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105262, recorded on Microfilm Roll No. 46, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the work of paving and otherwise improving of Reed Avenue, between Mission Boulevard and Cass Street; and Mission Boulevard, between the westerly prolongations of the northerly and southerly lines of Reed Avenue; within the limits and as particularly described in said Resolution; was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105263, recorded on Microfilm Roll No. 46, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the work of paving and otherwise improving of Rex Avenue, Shiloh Road, Wightman Street, Public Rights of Way in Lots 9 and 10, Block 3, Berkeley Heights, et al.; within the limits and as particularly described in said Resolution; was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105264, recorded on Microfilm Roll No. 46, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the work of installation of ornamental lights in Montezuma Road, Mary Lane Drive, Dorothy Drive, Rockford Drive and 63rd Street, in Collwood Park, Unit No. 2; within the limits and as particularly described in said Resolution; was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105265, recorded on Microfilm Roll No. 46, adopting the recommendation of the City Engineer filed under Document No. 443768; authorizing said City Engineer to amend the proceedings for the improvement of the Alley in Block 19, Ocean Beach, in accordance with said recommendation, to include the encasement of sewer laterals, and the installation of a retaining wall, if required, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105266, recorded on Microfilm Roll No. 46, rescinding Resolution Of Intention No. 104885 for the furnishing of electric current in Sunset Cliffs Lighting District No. 1; abandoning all proceedings thereunder; to provide for a change in the limits of the assessment district; was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105267, recorded on Microfilm Roll No. 46, accepting and confirming the assignment by Wm. S. Wright to Hans Starr, Star Route, Ramona, California, of that certain lease covering three parcels of land in Rancho San Bernardo and Section 7, Township 13 South, Range 1 West, S.B.B.M.; a copy of said assignment being contained in Document No. 444114; was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105268, recorded on Microfilm Roll No. 46, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, an agreement with the State Department of Public Works, Division of Highways, providing for the depositing in the outer highway on the east side of U. S. Highway 101 of approximately 10,000 cubic yards of waste material from the San Diego River Flood Channel, and the payment by the State to the City, at the rate of 20 cents per cubic yard, for the material placed in said outer highway, to the extent of not to exceed 10,000 cubic yards, such payment to be made to the City upon completion of the placement of such yardage, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105269, recorded on Microfilm Roll No. 46, authorizing and empowering the City Manager to do all the work in connection with the transfer of 56 meters to new services, and the connection of the same to property pipes, in Kendall Street, from La Playa Avenue to Pacific Beach Drive, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105270, recorded on Microfilm Roll No. 46, authorizing and empowering the City Manager to do all the work in connection with the transfer of 28 meters to new services, and the connection of the same to property pipes, in 32nd Street, from Collier Avenue to Adams Avenue, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105271, recorded on Microfilm Roll No. 46, authorizing and empowering the City Manager to execute for and on behalf of the City of San Diego, an agreement with Richard Gill and Arthur A. Seeligson, the successful bidders for the purchase of 20.103 acres of land in Pueblo Lot 1297, at the auction sale held on November 21, 1951; wherein and whereby the said Richard Gill and Arthur A. Seeligson agree, upon request by the City Manager, to dedicate for public use and to improve the land necessary to extend Camino del Oro through the above mentioned property, and to contribute their proportionate share of the cost of construction of water and sewer lines from La Jolla Shores Drive to the westerly line of said property; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105272, recorded on Microfilm Roll No. 46, authorizing Glenn A. Rick, City Planning Director, to attend the meeting of the Water Resources Board at Sacramento, California, January 31st and February 1st, 1952, and to incur the necessary expenses therefor, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105273, recorded on Microfilm Roll No. 46, establishing as "Through Highways" portions of Balboa Avenue, between the easterly line of Pacific Highway and the westerly line of Morena Boulevard; and portions of Dupont Street, between the westerly line of Tarento Drive and the westerly line of Catalina Boulevard; authorizing the installation of the necessary signs and markings; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

ORDINANCE NO. 5059, New Series, recorded on Microfilm Roll No. 46, appropriating the sum of \$12,550.00 from the Unappropriated Balance of The City of San Diego, and transferring the same to the Special Census Account (152), of 40.33, General Appropriations of said City, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5060, New Series, recorded on Microfilm Roll No. 46, appropriating the sum of \$3000.00 from the Unappropriated balance of The City of San Diego, and transferring the same to Account 214 (Travel Expense) 40.34, General Appropriations, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilman Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5061, New Series, recorded on Microfilm Roll No. 46, appro-

priating the sum of \$30,000.00 from the Unappropriated Balance of The City of San Diego, for the purpose of providing funds to cover the cost of a Topographical Survey of portions of the City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote: to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5062, New Series, recorded on Microfilm Roll No. 46, establishing the grade of the Alley in Block A, Belmont, in The City of San Diego, California, according to Map No. 1476, between the northerly line of El Cajon Boulevard and the south line of The Alley lying south of and contiguous to Lots numbers 800 to 809 inclusive, Talmadge Park Estates, according to Map No. 2014, was on motion of Councilman Schneider, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5063, New Series, recorded on Microfilm Roll No. 46, establishing the grade of Oliver Avenue, between the easterly line of Noyes Street and the westerly line of Olney Street, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

RESOLUTION NO. 105274, recorded on Microfilm Roll No. 46, approving and accepting the Bond for Faithful Performance Under Franchise in the amount of \$1,000.00 filed in the office of the City Clerk of The City of San Diego, California, under Document No. 444136, by the San Diego Transit System, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105275, recorded on Microfilm Roll No. 46, striking off, selling, awarding and granting to San Diego Transit System, as the highest cash bidder therefor, its successors and assigns, a Franchise and authority to maintain and operate upon and over the streets and public ways, including tidelands, Motor Buses and other self-propelled vehicles carrying passengers for hire, in The City of San Diego, for a period of thirty years commencing on the effective date of the Ordinance of Final Grant and ending on the 1st day of March, 1982, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

New Series,

ORDINANCE NO. 5064, recorded on Microfilm Roll No. 46, granting a Franchise for the period of thirty years to San Diego Transit System to maintain and operate upon over the streets and public ways, including Tidelands, of The City of San Diego, Motor Buses and other self-propelled vehicles carrying passengers for hire, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5065, New Series, appropriating the sum of \$190,000.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the replacement of the Outfall Sewer at the main sewage treatment plant, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Glenn Rick, City Planning Director, explained the necessity for clarifying Zoning Committee Resolutions No. 6038 and 6039 passed last November. The next two resolutions were adopted to take care of the matter.

RESOLUTION NO. 105276, recorded on Microfilm Roll No. 46, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, interpreting Zoning Committee Resolution No. 6038 to mean as follows:

Permission is hereby granted to John A. Campbell and Paula A. Campbell to construct a four-unit apartment building including a four-car garage on Lots 16 and 15, Block 79, Pacific Beach, said building may be constructed 10 feet, 6 inches from the center line of alley where 20 feet is required and may cover a maximum of 49% of the lot area where 40% is permitted.

Said building is to be constructed in the same design as shown on the original perspective drawing submitted to the Zoning Committee of the Planning Commission

but it is not intended that any other requirements of the City Zone Ordinance be suspended, and it is clearly understood that the access court requirements are to be complied with, and that the fence ordinance and setback ordinance are to be complied with also, although it appears from the above perspective drawing that there may be violations of these requirements.

A variance to the provisions of Ordinance No. 2593 (New Series) and Section 8a of Ordinance No. 8924 be, and is hereby granted as to the particulars stated above insofar as they relate to the property described above.


RESOLUTION NO. 105277, recorded on Microfilm Roll No. 46, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, interpreting Zoning Committee Resolution No. 6039 to mean as follows:

Permission is hereby granted to John A. Campbell and Paula A. Campbell to construct a four-unit apartment building including a four-car garage on Lots 17 and 18, Block 79, Pacific Beach, said building may be constructed with a maximum coverage of 44% where 40% is permitted.

Said building is to be constructed in the same design as shown on the original perspective drawing submitted to the Zoning Committee of the Planning Commission but it is not intended that any other requirements of the City Zone Ordinance be suspended, and it is clearly understood that the access court requirements are to be complied with, and that the fence ordinance and setback ordinance are to be complied with also, although it appears from the above perspective drawing that there may be violations of these requirements.

A variance to the provisions of Ordinance No. 2593 (New Series) and Section 8a of Ordinance No. 8924 be, and is hereby granted as to the particulars stated above insofar as they relate to the property described above.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 11:30 A.M., on motion of Councilman Schneider, seconded by Councilman Wincote.



 Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By _____


 Deputy.

REGULAR MEETING
Chamber of the Council of The City of San Diego, California,
Thursday, January 31st, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the appeal of Ben and Bertha Solomon from the decision of the Zoning Committee denying permission to construct a duplex with a seven foot setback on the West 75 feet of Lots 1, 2, and 3, Block 102, City Heights, at the southeast corner of Myrtle Avenue and 43rd Streets, in Zone R-4; all papers in connection with the matter were again presented. This appeal had been considered at the Council meetings of January 2nd, 17th, 24th and 27th, 1952.

Attorney H. F. Landgraf stated his client had secured all but one signature from property owners, representing 35 lot owners out of 39 lots represented, on a petition to establish a 10-foot setback on 43rd Street from Myrtle Avenue to Thorn Street.

Mr. Glenn Rick reported on the desired ten-foot setback in this block.

At this time Councilman Wincote entered and took his place on the Council.

Mr. Glenn Rick stated the original request was for a seven-foot setback on the Ben Solomon Property on 43rd Street, which the Zoning Committee had denied. He stated an allowance of a ten-foot setback would not be opposed in view of the property owners' petition.

Action on the matter was continued until later in this meeting; to allow Mr. Rick to check signatures on the new setback petition.

Claim of Charles David Burnett, 4546 Idaho Street, in the sum of \$10,000; based on fall on stairway at the Fine Arts Gallery, was presented.

RESOLUTION NO. 105278, recorded on Microfilm Roll No. 47, referring the claim of Charles David Burnett, contained in Document No. 444126, to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Claim of Paul K. DeWitt, Carlsbad, California, based on damages to his truck by City-owned equipment, in the sum of \$76.13, was presented.

RESOLUTION NO. 105279, recorded on Microfilm Roll No. 47, referring the claim of Paul K. DeWitt, contained in Document No. 444116, to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Claim of James Arthur William Paroline, 1805 Oliver Avenue, in the sum of \$1925.00, based on personal injuries and property damage in collision with a City truck, was presented.

RESOLUTION NO. 105280, recorded on Microfilm Roll No. 47, referring the claim of James Arthur William Paroline, contained in Document No. 444128, to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Claim of Charles Reed and Lillie Reed, 3649 Highland Avenue, based on damage to property at the address given, was presented; together with copy of letter from the Pacific Indemnity Company to Mr. and Mrs. Charles Reed, stating that the claim was not filed within the ninety day statutory period, and that it is impossible to give it any recognition.

RESOLUTION NO. 105281, recorded on Microfilm Roll No. 47, denying the claim of Charles Reed and Lillie Reed, filed under Document No. 441989, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Claim of Mrs. Lila B. Dede, based on fall to sidewalk in the park, in the sum of \$100.00 was presented.

RESOLUTION NO. 105282, recorded on Microfilm Roll No. 47, referring the claim of Mrs. Lila B. Dede, contained in Document No. 444146, to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the Street Superintendent relative to modification of Assessment Roll No. 2045, for paving Dawes Street, Emerald Street, Everts Street and Felspar Street; the hearing on which proceeding was concluded on January 29th, 1952, was presented.

RESOLUTION NO. 105283, recorded on Microfilm Roll No. 47, confirming and approving the Street Superintendent's corrected and modified Assessment No. 2045, made to cover the costs and expenses of the work of grading, paving and otherwise improving of Dawes Street, Emerald Street, Everts Street and Felspar Street, under Resolution of Intention No. 101111; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; authorizing said Street Superintendent to record said warrant, diagram and assessment; said warrant to bear date of this order; was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

A communication from the Purchasing Agent, consideration of which had been continued from the meeting of January 29th, 1952, reporting on bids received for furnishing radio transmitter-receivers, was presented.

RESOLUTION NO. 105284, recorded on Microfilm Roll No. 47, accepting the bid of Radio Corporation of America (RCA Victor Division), to furnish The City of San Diego with not less than seven nor more than thirteen radio transmitter-receivers, at a price of \$417.50 each, plus State sales tax; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, approved by the City Manager, relative to the proposed paving and otherwise improving of 46th Street, between the center line of Ocean View Boulevard and the center line of Logan Avenue; stating that a 52-foot pavement width is not necessary for this street, and that plans submitted call for a 40-foot curb to curb width, with the old curbs being removed and new curbs being installed; recommending that said curbs be replaced and the cost of this replacement assessed against the property in the district; the only other alternative would be if the Council so desires to contribute \$7,000 toward the cost of the improvement; was presented.

Councilmen expressed the view that no contribution should be made by the City toward the cost of this project.

RESOLUTION NO. 105285, recorded on Microfilm Roll No. 47, stating that the alternate recommendations of the City Engineer, contained in Document No. 444147, having been considered, and it being deemed inadvisable that the City contribute \$7,000.00 toward the cost of the improvement; the City Engineer is directed to submit plans for improving 46th Street, between the center line of Ocean View Boulevard and the center line of Logan Avenue, showing a 40-foot curb to curb width, with the old curbs being removed and new curbs being installed; the cost of this replacement being assessed against the property owners in the district; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the City Planning Commission submitting two resolutions relative to the final map of Catoctin Tract, Unit No. 1, was presented.

RESOLUTION NO. 105286, recorded on Microfilm Roll No. 47, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Al V. Carpenter and Jane A. Carpenter, subdividers, and Union Title Insurance and Trust Company, Trustee, for the completion of the unfinished required improvements and the setting of the required monuments and stakes for Catoctin Tract Unit 1; directing the City Engineer to present an Ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105287, recorded on Microfilm Roll No. 47, adopting the Map of Catoctin Tract No. 1, and accepting the public streets and unnamed easements therein, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

City Manager's approval of application for a Class A Dine & Dance License by Norman Nelson at 3714 Mission Boulevard, on premises known as the Blue Pacific Cafe, was presented.

RESOLUTION NO. 105288, recorded on Microfilm Roll No. 47, granting the application of Norman C. Nelson, 827 Pismo Court, for a Class A license to conduct public dance at Blue Pacific Cafe, 3714 Mission Boulevard, on premises where intoxicating liquor is sold; subject to compliance with existing ordinances and regulations; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Mrs. Ruth H. Bartlett requesting an allowance as a dependent of Ray Bartlett, Deceased, was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, referred to the Mayor for an answer.

An Ordinance which provides for a dependent of a deceased City Employee to receive six months' pay went into effect on December 13th, 1951. Mr. Ray Bartlett died on December 8th, 1951.

RESOLUTION NO. 105289, recorded on Microfilm Roll No. 47, authorizing O. W. Campbell, City Manager, designated as the authorized agent of Local Agency, to submit an application for State aid for the construction of a public works project to the Director of Finance, requesting an allotment of \$22,940.04 toward the cost of Estrella Park-Lexington Avenue Sewer Replacement; the estimated cost of which work is \$45,880.09; under conditions fully set forth in said Resolution; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105290, recorded on Microfilm Roll No. 47, authorizing the removal of portions of Lots 36 and 37, The Highlands, from petition to cancel taxes authorized by Resolution No. 104067; said land not being within the City limits; metes and bounds of said property being fully set forth in said Resolution; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105291, recorded on Microfilm Roll No. 47, authorizing and directing the City Attorney to file a petition with the County Board of Supervisors for the cancellation of all taxes of record, together with all penalties and other expenses in connection therewith; and the cancellation of all deeds to the State of California for delinquent taxes, on a six-page list of affected property included in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105292, recorded on Microfilm Roll No. 47, authorizing and empowering the City Manager to enter into and execute a permit agreement with the Hi-Boots Motorcycle Club, Inc. for a motorcycle road race on portions of Pueblo Lots 1325, 1330, 1331, 1332 and 1333, on February 3rd or 10th, 1952; the proceeds therefrom to be donated to the National Foundation for Infantile Paralysis; in accordance with the terms and conditions set forth in agreement filed as Document No. 444236; was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105293, recorded on Microfilm Roll No. 47, approving Change Order No. 2, filed as Document No. 444157, in connection with the contract with Griffith Company for the widening of a portion of Fairmount Avenue; which said contract is contained in Document No. 441231; amounting to an increase in the contract price of \$69.75; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105294, recorded on Microfilm Roll No. 47, granting permission to the San Diego Unified School District to lay 850 lineal feet of 6-inch cast iron soil line, in connection with the construction of classrooms and utility buildings for the new Alice Birney Elementary School, at 4250 Park Boulevard, at a fall of not less than 1/8" per foot, to connect to the public sewer; subject to the approval of the City Manager and the Department of Public Health, and upon the express condition that The City of San Diego shall be held free and clear of any claim for damages by reason of the installation, operation and maintenance of said sewer line; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105295, recorded on Microfilm Roll No. 47, accepting the Subordination Agreement, executed by Gerald H. Spracklin and Helen Spracklin, beneficiaries, and Union Title Insurance and Trust Company, trustee, wherein said parties subordinate all their right, title, and interest in and to a portion of Lot 3, Wadsworth Olive Grove, according to Map thereof No. 482, to the right of way and easement for street purposes theretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105296, recorded on Microfilm Roll No. 47, accepting the Subordination Agreement, executed by Arthur Tocque and Malva Tocque, beneficiaries and Security Trust and Savings Bank, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 27 and 28, Block 5, Pacific Beach Vista Tract, according to Map thereof No. 916, to the right of way and easement for storm drain purposes theretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105297, recorded on Microfilm Roll No. 47, accepting the Subordination Agreement, executed by Home Federal Savings and Loan Association of San Diego, beneficiary, and Southern Title and Trust Company, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 65, Block 5, First Addition to Pacific Beach Vista Tract, according to Map thereof No. 930, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105298, recorded on Microfilm Roll No. 47, accepting the Subordination Agreement, executed by Silver Gate Building and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 26, 27 and 28, all in Block 5, Pacific Beach Vista Tract, according to Map thereof No. 916, to the right of way and easement for storm drain purposes theretofore conveyed to The City of San Diego, through, along and across a portion of the said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105299, recorded on Microfilm Roll No. 47, accepting the 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, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 65, Block 4, First Addition to Pacific Beach Vista Tract, according to Map thereof No. 930, to the right of way and easement for storm drain purposes theretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105300, recorded on Microfilm Roll No. 47, accepting the

subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 39 in Block 12-1/2 in the Subdivision of Blocks 3, 6, 9 and 12 of City Heights Annex No. 1, according to Map thereof No. 1207, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego through, along and across a portion of said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105301, recorded on Microfilm Roll No. 47, accepting the Subordination Agreement, executed by George C. Vanderburg, beneficiary, and Southern Title and Trust Company, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 39, Block 12-1/2 in the Subdivision of Blocks 3, 6, 9 and 12 of City Heights Annex No. 1, according to Map thereof No. 1027, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105302, recorded on Microfilm Roll No. 47, accepting the subordination agreement, executed by Bertha A. Cordts, beneficiary, and Union Title Insurance and Trust Company, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 165, 166, 167, 168 and 169, Kensington Heights Unit No. 2, according to Map thereof No. 1912, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105303, recorded on Microfilm Roll No. 47, accepting the 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, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 159, Kensington Heights Unit No. 2, according to Map thereof No. 1912, to the right of way and easement for sewer purposes theretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105304, recorded on Microfilm Roll No. 47, accepting the Subordination Agreement, executed by The First National Trust and Savings Bank of San Diego, beneficiary and trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 162, Kensington Heights Unit No. 2, according to Map thereof No. 1912, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego through, along and across a portion of the said property; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105305, recorded on Microfilm Roll No. 47, accepting the subordination agreement, executed by Security Trust and Savings Bank of San Diego, as beneficiary and trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lots A, B and C, Kensington Point, according to Map thereof No. 2004, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of said San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105306, recorded on Microfilm Roll No. 47, accepting the subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lots A, B and C, Kensington Point, according to Map thereof No. 2004, to the right of way and easement for sewer purposes theretofore conveyed to The City of San Diego through, along and across a portion of said properties above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105307, recorded on Microfilm Roll No. 47, accepting the subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lots A, B and C, Kensington Point, according to Map thereof No. 2004, to the right of way and easement

for sewer purposes heretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this Resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105308, recorded on Microfilm Roll No. 47, accepting the subordination agreement, executed by Irving E. Odgers and Louise Odgers, beneficiaries, and Southern Title and Trust Company, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lots A, B and C, Kensington Point, according to Map thereof No. 2004, to the right and easement for sewer purposes heretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105309, recorded on Microfilm Roll No. 47, accepting the subordination agreement, executed by Jefferson Standard Life Insurance Company, beneficiary and Ralph C. Price, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lots A, B and C, Kensington Point, according to Map thereof No. 2004, to the right of way and easement for sewer purposes theretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105310, recorded on Microfilm Roll No. 47, accepting the quitclaim deed of Arthur J. Cofrank and Theresa Cofrank, executed in favor of The City of San Diego, quitclaiming to said City a portion of Lot Four, Block 393, Old San Diego, according to Map thereof by James Pascoe in 1870, filed as Miscellaneous Map No. 40; authorizing and directing the City Clerk to transmit said quitclaim deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105311, recorded on Microfilm Roll No. 47, accepting the deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, executed in favor of The City of San Diego, conveying to said City a portion of Lot 18, Block 16, Bird Rock Addition, according to Map thereof filed in the Office of the Recorder of San Diego County; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105312, recorded on Microfilm Roll No. 47, accepting the deed of Victory Bible Institute of San Diego, California, a corporation, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 3, Wadsworth Olive Grove, according to Map thereof No. 482; setting aside and dedicating the land therein conveyed to the public use as and for a public street; and naming the same 52nd Street; authorizing and directing the City Clerk to file the said deed of record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105313, recorded on Microfilm Roll No. 47, accepting the deed of George P. Pearson and Gladys L. Pearson, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 10, La Mesa Colony, according to Map thereof No. 346; setting aside and dedicating to the public use as and for a public street the land therein conveyed; and naming the same Rose Street; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105314, recorded on Microfilm Roll No. 47, accepting the Grant of Easement of the United States of America, acting by and through the Secretary of the Navy, executed in favor of The City of San Diego, quitclaiming to said City an easement for public highway purposes through, along and across a portion of Lots 5 and 12, Caruther's Addition, according to Map thereof No. 27; setting aside and dedicating to the public use as and for a public street the lands therein conveyed; and naming the same San Pasqual Street; authorizing and directing the City Clerk to file the said Grant of Easement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105315, recorded on Microfilm Roll No. 47, accepting the deed of Vera McKinney, executed in favor of The City of San Diego, conveying to said City Lots 23 and 24, Block 292, Seaman and Choate's Addition, and a portion of the unnumbered lots lying north of said Block 292, said Seaman and Choate's Addition, according to Map thereof No. 223; setting aside and dedicating the land therein conveyed to the public use as and for a public street, and naming the same Wabash Boulevard; auth-

orizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105316, recorded on Microfilm Roll No. 47, accepting the deed of Watch Tower Bible and Tract Society, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 23, Rancho Ex-Mission of San Diego, according to Partition Map of said Rancho filed in the Office of the County Clerk of San Diego County; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105317, recorded on Microfilm Roll No. 47, accepting the deed of Alfred D. Chambers and Bona M. Chambers, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 10, Block 4, Encanto Heights, according to Map thereof No. 1063; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105318, recorded on Microfilm Roll No. 47, accepting the deed of George W. Trenfel, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 39, Block 157, Pacific Beach, according to Map thereof No. 864; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105319, recorded on Microfilm Roll No. 47, accepting the deed of Winchester Wallace, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 161, Kensington Heights Unit No. 2, according to Map thereof No. 1912; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105320, recorded on Microfilm Roll No. 47, accepting the deed of M. B. Rutherford and Rose Rutherford, executed in favor of The City of San Diego, conveying to said City an easement and right of way for public sewer purposes through, along and across a portion of Lot 164, Kensington Heights Unit No. 2, according to Map thereof No. 1912; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105321, recorded on Microfilm Roll No. 47, accepting the deed of George A. Muzikar and Hilma E. Muzikar, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes, through, along and across a portion of Lot 160, Kensington Heights Unit No. 2, according to Map thereof No. 1912; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105322, recorded on Microfilm Roll No. 47, accepting the deed of John A. Hodgson and Marion J. Hodgson, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 163, Kensington Heights Unit No. 2, according to Map thereof No. 1912; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105323, recorded on Microfilm Roll No. 47, accepting the deed of August E. Hill and Lenore A. Hill, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lots 165, 166, 167, 168 and 169, Kensington Heights Unit No. 2, according to Map thereof No. 1912; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105324, recorded on Microfilm Roll No. 47, accepting the deed of Howard A. Parker and Ruth I. Parker, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 159, Kensington Heights Unit No. 2, according to Map thereof No. 1912; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105325, recorded on Microfilm Roll No. 47, accepting the deed of Paul R. Dolley and Constance R. Dooley, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 162, Kensington Heights Unit No. 2, according to Map thereof No. 1912; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105326, recorded on Microfilm Roll No. 47, accepting the deed of Joseph A. Rafferty, Helen R. Rafferty, Roscoe W. Green, Lee Etta Greer, Lester S. Bond, William Kate Bond, Emma E. Elliott, Nettie R. Jenkins, Cora C. Roberts, William E. Roberts, Esther E. Gilette, Alpheus J. Gilette, Adele McDaniel, William N. Thornton and Yvonne M. Thornton, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lots A, B and C, Kensington Point, according to Map thereof No. 2004; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105327, recorded on Microfilm Roll No. 47, accepting the deed of D. H. Tucker and Mary A. Tucker, executed in favor of The City of San Diego, conveying to said City an easement and right of way for a storm drain through, along and across a portion of Lot 39 in Block 12-1/2 in the Subdivision of Blocks 3, 6, 9 and 12, City Heights Annex No. 1, according to Map thereof No. 1207; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105328, recorded on Microfilm Roll No. 47, accepting the deed of Walter L. Sternaman and Florence Sternaman, executed in favor of the City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 39, Block 12-1/2, in the Subdivision of Blocks 3, 6, 9 and 12 of City Heights Annex No. 1, according to Map thereof No. 1207; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105329, recorded on Microfilm Roll No. 47, accepting the deed of Chula Vista Development Company, a California corporation, executed in favor of The City of San Diego, bearing date January 4, 1952, conveying to said City an easement and right of way for storm drain and public sewer purposes through, along and across a portion of Lot 28, Block 14, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105330, recorded on Microfilm Roll No. 47, accepting the deed of J. Francis Guyton and Mary Gatten Guyton, executed in favor of The City of San Diego, conveying to said City an easement and right of way for the purpose of a water gaging station through, along and across a portion of the Northeast Quarter of Section 33, Township 17 south, Range 3 East, S. B.M., according to Map thereof in Block Book 58A in the Office of the County Assessor of San Diego County; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this Resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 5066, New Series, recorded on Microfilm Roll No. 47, appropriating the sum of \$1,200.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the City's contribution toward the cost of the construction of an outfall sewer line outside the limits of the Makai Heights Subdivision, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5067, New Series, recorded on Microfilm Roll No. 47, appropriating the sum of \$45,000.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the acquisition of land at 54th Street and University Avenue, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

By unanimous consent, at the request of the City Manager, Mr. Roy Butler of the Civilian Defense Office spoke relative to financing the Civil Defense Effort.

Councilmen Kerrigan and Wincote spoke relative to the training program for Civilian Defense.

Roy Butler spoke relative to the educational program; the purchase of booklets, etc.. He stated the office needed 100,000 copies of "Survival under Atomic Attack; 85,000 of which have been distributed. He said 75,000 copies of "The Birth of a Turtle" were needed; 10,000 copies of Civil Defense in Industrial Plants; 100,000 copies of "This is Civil Defense"; 100,000 copies of Alert Card; 100,000 copies of "Emergency Action to Save Lives"; 200,000 reams of white, mimeograph bond; 5,000 copies of Civil Defense in Outline; etc.; all for a total cost of \$30,407.50, of which the Federal Government will pay half of the cost.

Roy Butler stated that the City Council has already appropriated \$80,000 toward the Civilian Defense Effort.

Councilman Godfrey stressed the need of an adequate warning system; for use in an air raid or other emergency.

Councilman Schneider suggested a special sales tax to finance the Civil Defense work.

Roy Butler spoke relative to matching funds to augment the City's contributions. He answered questions by the Councilmen.

Thereupon, RESOLUTION NO. 105331, recorded on Microfilm Roll No. 47, authorizing the City Manager to enter into an agreement with the State and/or Federal Government for the purpose of obtaining one rescue vehicle, complete with equipment, for use in The City of San Diego's defense training and education; the City Council agreeing to appropriate the sum of \$8,911.18 from the Unappropriated Balance for payment to the Federal Civil Defense Administration for the City's share of the cost of equipment to be purchased by the Federal Civil Defense Administration, and to remit to the Federal Civil Defense Administration one-half of the cost of such equipment as is purchased by the agency in accordance with this resolution, and one-half of any procurement and transportation charges which may be incurred by the Federal Government, immediately upon the delivery to the City of said equipment; further agreeing to authorize the City Manager to purchase additional civil defense training and education equipment in the amount of \$21,765.29 subject to the Federal Civil Defense Administration's approval of the City's training program and receipt of agreement to pay \$21,765.29 from the Federal Civil Defense Administration, as its share on a 50-50 matching basis of the proposed training and education program; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Councilman Swan inquired why the City engaged in Civil Defense Work at all. Comments by other Councilmen followed. The question was raised as to whether there are other major Cities on the West Coast who have no sirens. Roy Butler stated that Portland and Seattle do not have sirens; but that San Francisco does have them.

Thereupon, RESOLUTION NO. 105332, recorded on Microfilm Roll No. 47, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted, reading as follows:

"That the City Council make every effort to determine the status of The City of San Diego in the matter of Civilian Defense; to establish as high a rating in connection with State and Federal assistance as that of any other West Coast City.

BE IT FURTHER RESOLVED, that the matter be, and it is hereby referred to Council Conference for discussion at an early date."

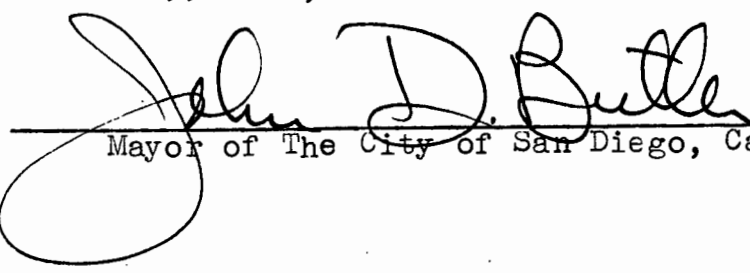
At this time Glenn Rick reported on the petition for a 10-foot setback on both sides of 43rd Street, between Myrtle Avenue and Thorn Street; by Ben Solomon and others. This was circulated by Mr. Solomon in support of his request for a special setback on the west 75 feet of Lots 1, 2 and 3, Block 102, City Heights, at the southeast corner of Myrtle Avenue and 43rd Street. Mr. Rick reported that owners of 35 out of the 39 lots represented on this section of 43rd Street had signed the petition.

All interested persons having already been heard on the matter of the application of Ben and Bertha Solomon, and their appeal from the decision of the Zoning Committee, the hearing was closed.

RESOLUTION NO. 105333, recorded on Microfilm Roll No. 47, overruling the decision of the Zoning Committee in denying by its Resolution No. 6066, application No. 10093 of Ben Solomon and Bertha Solomon, 4315 Myrtle Avenue, for variance to the provisions of Ordinance No. 12321, to construct a duplex with a 7-foot setback on the West 75 feet of Lots 1, 2 and 3, Block 102, City Heights, Southeast corner of Myrtle Avenue and 43rd Street, Zone R-4; sustaining the appeal of Ben Solomon and Bertha Solomon to the extent that permission is granted to construct said duplex with a 10-foot setback; imposing an additional condition that a 9-foot opening or areaway shall be maintained between the old and new buildings; also, provided that no rear doors are to face on 43rd Street; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105334, recorded on Microfilm Roll No. 47, requesting the Planning Director to institute proceedings to establish a 10-foot setback on both sides of 43rd Street, between Myrtle Avenue and Thorn Street; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 10:55 A.M., on motion of Councilman Kerrigan, seconded by Councilman Swan.


Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By Clark M. Foote Jr.
Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, February 5th, 1952.

A Regular Meeting of the Council of The City of San Diego was held this date, and was called to order by the Mayor, at the hour of 10:06 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
Mayor Butler.

Absent----None.

Clerk-----Fred W. Sick.

The Minutes of the Regular Meetings of Tuesday, January 29th, 1952, and of Thursday, Thursday, January 31st, 1952, were presented to the Council by the Clerk. On motion of Councilman Schneider, seconded by Councilman Dail, said Minutes were approved without being read, after which they were signed by the Mayor.

At this time the Mayor awarded service Emblems to:

Edward H. Culver, Building Inspector, Inspection Department, 25-year
button;
John A. Thornton, Public Proceedings Agent, City Attorney's Office, 25-
year button;
Miss Margaret Detrick, Supervising Librarian, Public Library, 40-year
pin;
Mrs. Myrtle Whitmore Rice, Assistant Librarian, Public Library, 25-year
pin;
Verne A. Parker, Assistant Director of Public Works Department, 20-year
button;
Mrs. Helen M. Willig, Senior Clerk, City Clerk's Office, 25-year pin.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for furnishing and installing traffic signals and safety lights at 30th and C Streets, 16th and C Streets, 18th and B Streets, 12th and B Streets, and 8th and Broadway, under plans and specifications contained in Document No. 443480; Specification No. 210 (W. O. Nos. 22059 & 22060), the Clerk reported that three bids had been received, which bids were presented to the Council.

On motion, duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of California Electric Works, accompanied by a bond from the United States Fidelity and Guaranty Company in the sum of Ten Per Cent of the amount bid; which bid was given Document No. 444400;

The bid of Fischbach and Moore, accompanied by a bond from Indemnity Insurance Company of North America in the sum of Ten Per Cent of the amount of the Principal's bid; which bid was given Document No. 444401;

The bid of Ets-Hokin and Galvan, accompanied by a bond from the United States Guarantee Company in the sum of Ten Percentum of the Amount of the accompanying bid; which bid was given Document No. 444402.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Godfrey, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of the Alley in Block 67, Point Loma Heights, between the southeasterly line of Santa Barbara Street and the westerly line of Venice Street, within the limits and as particularly described in Resolution of Intention No. 104943, the City Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

All interested persons having been heard, on motion of Councilman Kerrigan, seconded by Councilman Schneider, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of Pynchon Street, between the north line of Logan Avenue and the north line of Ocean View Boulevard, within the limits and as particularly described in Resolution of Intention No. 104944, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

All interested persons having been heard, on motion of Councilman Kerrigan, seconded by Councilman Wincote, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

Communication from the Port Director recommending approval of Agreement for Amendment of Tideland Lease, Amendment NO. 3, with the Kelco Company, was presented. RESOLUTION NO. 105335, recorded on Microfilm Roll No. 47, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 3,

between the City of San Diego and Kelco Company; a copy of which Agreement is contained in Document No. 444324; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Port Director recommending the approval of Agreement for Amendment to Tideland Lease, Amendment No. 1, with Antonio Mauricio and Anthony Mauricio, Jr., co-partners d.b.a. Mauricio and Sons, was presented.

RESOLUTION NO. 105336, recorded on Microfilm Roll No. 47, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 1, between the City of San Diego and Mauricio and Sons; a copy of which Agreement is contained in Document No. 444327; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Port Director recommending the approval of Agreement for Amendment of Tideland Lease, Amendment No. 2, with National Steel and Shipbuilding Corporation, was presented.

RESOLUTION NO. 105337, recorded on Microfilm Roll No. 47, ratifying, confirming and approving an Agreement for Amendment of Tideland Lease, Amendment No. 2, between The City of San Diego and National Steel and Shipbuilding Corp.; a copy of which Agreement is contained in Document No. 444331; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Port Director recommending the approval of Agreement for Amendment of Tideland Lease with Pacific Southwest Air Lines, Inc., was presented.

RESOLUTION NO. 105338, recorded on Microfilm Roll No. 47, ratifying, confirming and approving a Lease with Pacific Southwest Air Lines, Inc. for a period of five years, with three five year options to renew, upon the terms and conditions contained in form of Lease; a copy of which is on file under Document No. 444333; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Port Director recommending approval of Tidelands lease with Travelodge Corporation, was presented.

RESOLUTION NO. 105339, recorded on Microfilm Roll No. 47, ratifying, confirming and approving a Lease of certain lands located on the tidelands with Travelodge Corporation, at the intersection of Harbor Drive and Scott Street, for a period of five years, upon the terms and conditions contained in the form of lease; a copy of which is on file in the Office of the City Clerk under Document No. 444336; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids for stuccoing of three wood frame buildings in the nonscheduled flight area, Lindbergh Field, was presented.

RESOLUTION NO. 105340, recorded on Microfilm Roll No. 47, accepting the bid of C. Ralph Cook for stuccoing of three wood frame buildings in the nonscheduled flight area, Lindbergh Field, for the Harbor Department of The City of San Diego, for the sum of \$3126.00; awarding the contract and authorizing a majority of the members of the Harbor Commission to execute the same; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids for painting of three hangars in the nonscheduled flight area, Lindbergh Field, was presented.

RESOLUTION NO. 105341, recorded on Microfilm Roll No. 47, accepting the bid of John M. Spurlock for painting of three hangars in the nonscheduled flight area, Lindbergh Field, for the Harbor Department of The City of San Diego, for the sum of \$5000.00; awarding the contract and authorizing a majority of the members of the Harbor Commission to execute the same; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, approved by the City Manager, recommending bids for Cast Iron Pipe and Fittings, Gate Valves and Tapping Valves and Sleeves, was presented.

RESOLUTION NO. 105342, recorded on Microfilm Roll No. 47, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with Cast Iron Pipe and Fittings, Gate Valves and Tapping Valves and Sleeves, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file under Document No. 444342, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission recommending rezoning of a portion of Pueblo Lot 197 for the San Diego Unified School District, from R-1 to R-2, was presented.

RESOLUTION NO. 105343, recorded on Microfilm Roll No. 47, granting the petition for rezoning a portion of Pueblo Lot 197, being a parcel of land adjacent to the Dana Junior High School, from Zone R-1 to Zone R-2; as recommended by the City Planning Commission under Document No. 444346; directing the City Attorney to prepare the necessary ordinance to effect such rezoning; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission reporting on request of Frank Melcher for extension of time on building permit granted by Resolution No. 103080, was presented.

RESOLUTION NO. 105344, recorded on Microfilm Roll No. 57, granting the request of F. E. Melcher for a six months' extension of time on Council Resolution No. 100913, granting side yard variance to permit construction of a single-family residence with a 4-foot sideyard, on Lot 9, Block B, Presidio Hills, adjoining 2476 Presidio Drive, in Zone R-1; as recommended by the City Planning Department, under date of January 29, 1952; further resolving that no further extension of time on said variance will be granted; was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

At this time a majority of the members of the Council signed:
 Contract with the San Diego Gas & Electric Company for Mission Beach Lighting District No. 2.
 Contract with the San Diego Gas & Electric Company for Ocean Beach Lighting District No. 1.
 Contract with the San Diego Gas & Electric Company for Pacific Beach Lighting District No. 1

Opinion from the City Attorney on the application of John A. McCarthy, doing business as McCarthy Pharmacy, at 7857 Girard Avenue, for permission to install a neon sign display on the building and on the marquee in front of said building, was presented and read.

Glenn Rick explained the matter, and mentioned new reports filed by the City Attorney and by the City Planning Commission, since the request was last considered by the City Council. He answered questions by individual Councilmen.

Communication from the City Planning Director relative to special signs for the McCarthy Pharmacy in La Jolla was read.

A salesman for the Electrical Products Company, representing the McCarthy Pharmacy spoke.

Further questions by Councilmen were answered by Glenn Rick.

Deputy City Attorney Louis M. Karp explained the City Attorney's opinion relative to the McCarthy Pharmacy sign. He stated that legally the City could not prevent the sign installation requested.

Mr. Milton Lancaster spoke relative to signs in the La Jolla area. He said dozens of signs have been altered to comply with the architectural control policy.

The Mayor stated that a conference relative to the regulation of signs was contemplated for this afternoon.

Councilmen Godfrey, Schneider, Wincote, Kerrigan, Dail, Swan and Mayor Butler all expressed their views.

Admiral Burrell C. Allen commented on oversize signs in La Jolla area.

Glenn Rick spoke relative to the welfare of the Community. He said the City Attorney's opinion "kicked-out" Architectural Control, and meant that the Planning and Zoning Committee were wasting their time in trying to enforce Architectural Control.

Attorney Louis M. Karp explained this opinion. He stated these "Rules" set up by the Planning Commission had never been adopted by Council Ordinance.

Further discussion followed.

Councilman Swan called on Mr. Andrew Andex, of the La Jolla Town Council. He spoke relative to the public welfare at La Jolla, and the beauty of the streets there. He stated that many large signs had been taken down, in deference to the wishes of the majority of the La Jolla Residents.

A motion was made by Councilman Godfrey, seconded by Councilman Wincote, to file the opinion of the City Attorney; together with the accompanying papers.

Admiral Burrell C. Allen spoke again relative to signs on marquees. Councilman Godfrey read ordinance provisions on this subject of signs on marquees.

Residents of La Jolla, representing the La Jolla Town Council, spoke in favor of architectural control.

After further discussion; which terminated at 11:37 A.M.; a roll call on the motion to file the opinion of the City Attorney; together with the accompanying papers; showed all members voting "Yea".

Communication from the City Manager reporting on the letter from the San Diego County Grand Jury relative to the formation of a traffic council was presented. A motion was made by councilman Schneider, seconded by Councilman Kerrigan, to file the communication.

Mr. Elmer Hartman requested that the letter from the Grand Jury be read. He was assured that the letter had nothing to do with parking meters; in which subject Mr. Hartman expressed himself as vitally interested.

On further demand from Elmer Hartman, the Clerk read the letter from the Grand Jury.

The motion to file the communication from the City Manager and accompanying papers carried with a clear vote.

Communication from the City Manager reporting on complaint from Mrs. Eva B. Shannon regarding lack of bus service to the Grantville area was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed; together with the report and other papers.

Communication from the City Manager advising of the appointment of Mr. Henry H. Batchelder of 2351 Juan Street, to the City Park Commission, filling the vacancy created by the resignation of Gerald C. Crary, was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

Communication from the Jacobson Neon Sign Studio requesting a hearing relative to a neon sign that is to be erected on the face of a new store in La Jolla, was presented. It developed that this sign was for Ballard and Brockett, at 7849 Girard Avenue.

Deputy City Attorney Louis M. Karp ruled that this communication constituted a "Legal Appeal".

Glenn Rick presented excerpts from the meeting of the City Planning Commission of January 30th, 1952, on the subject; which minute extracts were read.

Mr. I. Jacobson spoke relative to the sign requested for the store of Ballard and Brockett. He stated that the sign is in strict compliance with City Ordinances governing signs. He alleged discrimination by the City Planning Commission relative to the installation of signs; to the effect that his application at a La Jolla Address had been turned down, and a similar sign erected by a competitor a little later with sanction of the said Planning Commission. He concluded his remarks with a direct request for a permit to install the sign for Ballard and Brockett.

Glenn Rick stated that the existing sign complained of was not erected after the policy relative to the size of signs in La Jolla became effective. This "policy" was set up by the Planning Commission sometime in January, 1951. About to be

After comments by various Councilmen, I. Jacobson and members of the City Planning Commission, the appeal of I. Jacobson was granted, on motion of Councilman Schneider, seconded by Councilman Wincote. No Resolution was passed; more discussion followed. A motion to "Table the Motion" was made by Councilman Dail, and seconded by Councilman Kerrigan. This carried with Councilmen Swan, Kerrigan, Dail and Mayor Butler voting "Yea"; Councilmen Wincote, Schneider and Godfrey voting "Nay"; absent--None. On motion of Councilman Schneider, seconded by Councilman Godfrey, the matter was taken off the table; to be considered at the afternoon meeting. All members favored this last motion.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Dail, the Council took a recess at the hour of 12:17 P.M. until 1:55 P.M. this date.

Upon reconvening, at the hour of 1:55 o'clock P.M., the roll call showed as follows, to-wit:

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

Absent----None.

Clerk-----Fred W. Sick.

RESOLUTION OF AWARD NO. 105345, recorded on Microfilm Roll No. 47, awarding to John B. Henry the contract for grading and installation of sidewalks, and otherwise improving of Commonwealth Avenue, Laurel Street and Boundary Street, within the limits and as particularly described in Resolution of Intention No. 104511, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105346, recorded on Microfilm Roll No. 47, approving the plans and plat of assessment district for the paving and otherwise improving of the Alley in Block 40, Resubdivision of Blocks H and I, Teralta; said plans bearing Document No. 443966, and said Plat being numbered 2318; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105347, recorded on Microfilm Roll No. 47, approving the plans, specifications, etc. for the paving and otherwise improving of the North and South Alley in Block 244, University Heights, contained in Document No. 443964; and approving Plat No. 2316, showing the exterior boundaries of the district to be included in the assessment for said work and improvement; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105348, recorded on Microfilm Roll No. 47, approving the plans, specifications, etc. for paving and otherwise improving of Felspar Street, between the easterly line of Dawes Street and the westerly line of Everts Street, contained in Document No. 443960; and approving Plat No. 2313, showing the exterior boundaries of the district to be included in the assessment for said work and improvement; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105349, recorded on Microfilm Roll No. 47, approving the plans, specifications, etc. for the paving and otherwise improving of Ingraham Street, between La Playa Avenue and the northerly line of Crown Point, contained in Document No. 443962; and approving Plat No. 2314, showing the exterior boundaries of the district to be included in the assessment for said work and improvement; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 105350, recorded on Microfilm Roll No. 47, for the closing of all that portion of 55th Street, lying between Lots 1 and 16, in C. C. Seaman's Subdivision, according to Map thereof No. 214, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 105351, recorded on Microfilm Roll No. 47, for the closing of that portion of Idaho Street, including any portions of Howard Avenue and Polk Avenue lying therein, described as follows:

Beginning at the intersection of the westerly line of Idaho Street and the southerly line of El Cajon Boulevard; thence easterly along said southerly line to a line parallel to and distant 18.00 feet easterly at right angles from said westerly line of Idaho Street; thence southerly along said parallel line to the northerly line of Polk Avenue; thence in a direct line to a point on the westerly line of Idaho Street distant thereon 66.00 feet southerly from the northerly line of Polk Avenue; thence northerly along said westerly line of Idaho Street to the point of beginning; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 105352, recorded on Microfilm Roll No. 47, for paving and otherwise improving of the Alley in Block 20, Fairmount Addition to City Heights, between the northerly line of University Avenue and the southerly line of Polk Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 105353, recorded on Microfilm Roll No. 47, for paving and otherwise improving the Alley in Block 6, MountainView, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 105354, recorded on Microfilm Roll No. 47, for paving and otherwise improving of the Alley in Block F, Referee's Partition Map of East One-half of Pueblo Lot 1110, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 105355, recorded on Microfilm Roll No. 47, for paving and otherwise improving of Rex Avenue, Shiloh Road, Wightman Street, Public Rights of Way in Lots 9 and 10, Block 3, Berkeley Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 105356, recorded on Microfilm Roll No. 47, for furnishing of electric current for the lighting of the ornamental street lights located in Crown Point Lighting District No. 1, for the period of one year from and including February 15, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 105357, recorded on Microfilm Roll No. 47, for the furnishing of electric current for the lighting of the ornamental street lights located in Presidio Hills Lighting District No. 1, for the period of one year from and including February 1, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 105358, recorded on Microfilm Roll No. 47, for the furnishing of electric current for the lighting of the ornamental street lights located in Sunset Cliffs Lighting District No. 1, for the period of one year from and including January 15, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 105359, recorded on Microfilm Roll No. 47, for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 2, for the period of one year from and including March 16, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105360, recorded on Microfilm Roll No. 47, for the paving and otherwise improving of the Alley in Block 40, Resubdivision of Blocks H and I, Teralta, between the south line of El Cajon Boulevard and the north line of Orange Avenue, as fully described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105361, recorded on Microfilm Roll No. 47, for the paving and otherwise improving of the North and South Alley in Block 244, University Heights, between the north line of Myrtle Avenue and the south line of Brookes Avenue, as fully described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105362, recorded on Microfilm Roll No. 47, for the paving and otherwise improving of Felspar Street, between Dawes Street and Everts Street, as fully described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105363, recorded on Microfilm Roll No. 47, for the paving and otherwise improving of Ingraham Street, between La Playa Avenue and the northerly line of Crown Point, as fully described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105364, recorded on Microfilm Roll No. 47, rescinding Resolution of Intention No. 104055, for the improvement of Balboa Avenue, Pasadena Street, Albuquerque Street, DeSoto Street, Del Rey Street, Santa Fe Street, Pacific Highway and Public Rights of Way; abandoning all proceedings thereunder; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105365, recorded on Microfilm Roll No. 47, authorizing

the American Surety Company of New York to cancel, from the 5th day of February, 1952, their bond issued December 18, 1951 to The City of San Diego in connection with the contract to be executed and work to be performed by V. R. Dennis, an individual doing business under the firm name and style of V. R. Dennis Construction Co. for the improvement of Balboa Avenue, Pasadena Street, Albuquerque Street, DeSoto Street, Del Rey Street, Santa Fe Street, Pacific Highway and Public Rights of Way, which bond is filed in the office of the City Clerk of The City of San Diego under Document No. 442408; and releasing and discharging the said American Surety Company of and from any and all claims and/or demands whatsoever under said bond from and after said date of cancellation; further authorizing the City Manager, for and on behalf of The City of San Diego, to execute, if required by said surety company, a form of cancellation release in conformity with the provisions of this resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105366, recorded on Microfilm Roll No. 47, creating and establishing Lincoln Avenue, between the easterly line of 32nd Street and the westerly line of 34th Street, as a "Through Highway"; authorizing the installation of the necessary signs and markings; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105367, recorded on Microfilm Roll No. 47, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that all taxes against all property listed in said Resolution be cancelled, together with all penalties and other expenses in connection therewith; authorizing and directing said Property Supervisor to take whatever steps he may deem necessary otherwise to secure the cancellation of said taxes and deeds; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The list of properties contained in this resolution included land in the Dells Park, Block 380 of Old San Diego, Stratford Park Addition, Ocean Beach Park, Block 381, Old San Diego, Block 46 of La Jolla Park, Block 393 of Old San Diego, and other properties.

RESOLUTION NO. 105368, recorded on Microfilm Roll No. 47, directing the City Attorney to file a petition with the County Board of Supervisors requesting that all taxes of record against property described in said Resolution be cancelled; together with all penalties and other expenses in connection therewith, and that all deeds to the State for delinquent taxes on said property be cancelled; authorizing and directing the said City Attorney to take whatever steps he may deem necessary otherwise to secure the cancellation of said taxes and deeds; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The property in said Resolution fully described was land lying between Ventura Place and San Fernando Place, according to Map 1809.

RESOLUTION NO. 105369, recorded on Microfilm Roll No. 47, directing the City Attorney to file a petition with the County Board of Supervisors requesting that all taxes of record against property fully described in said Resolution be cancelled; together with all penalties and other expenses in connection therewith; and that all deeds to the State for delinquent taxes of said property be cancelled; authorizing and directing said City Attorney to take whatever steps he may deem necessary otherwise to secure the cancellation of said taxes and deeds; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Property described in this resolution included land in Bayside, Sellar's Addition, Electric Line Addition, etc.

RESOLUTION NO. 105370, recorded on Microfilm Roll No. 47, renewing the lease with Al Abrego on portions of Blocks 410, 411, 424 and 425 of Old San Diego, for use as a "pitch and putt" golf course operated by the said Al Abrego; said renewal being for an additional term of five years commencing on the first day of March, 1952; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105371, recorded on Microfilm Roll No. 47, authorizing and empowering the City Manager to execute agreements with the San Diego Historical Society with respect to Serra Museum in Presidio Park; the San Diego Society of Natural History with respect to the Natural History Museum in Balboa Park; the Fine Arts Society of San Diego with respect to the Fine Arts Gallery in Balboa Park, and the San Diego Museum Association with respect to the Museum of Man in Balboa Park, for the operation of the aforesaid museums and the occupancy of the buildings in which they are situated; all of which agreements to be in conformity with the agreement heretofore filed with the City Clerk as Document No. 444473; except that in each of said agreements, one or more additional recitals or "Whereas" clauses may be included explanatory of each such Society, the museum it operates and the building in which it is housed; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105372, recorded on Microfilm Roll No. 47, authorizing and empowering the Park and Recreation Director, subject to the approval of the City Manager, to enter into and execute agreements for the use and occupancy of the studios in the Spanish Village in Balboa Park; said agreements to be in accordance with the terms and conditions set forth in the form of use and occupancy permit or agreement heretofore filed with the City Clerk as Document No. 444139, and in accordance with Resolutions of the Council numbered 89180 and 97478; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105373, recorded on Microfilm Roll No. 57, approving the request of Charles J. Dorfman, approved by the Acting Director of the Water Department and the City Manager, as contained in Document No. 444474, for an extension of time of 60 calendar days, to-wit, to and including February 18, 1952, in which to complete his contract for the installation of the 54th Street Asbestos Cement Pipe Line, from El Cajon Boulevard to Orange Avenue, including section on Orange Avenue and from Chollas Station Road to Euclid Avenue, and which said contract is contained in Document No. 438842; extending the time of completion under said contract to February 18, 1952; waiving the provisions of the specifications for said work with respect to liquidated damages, until the termination of the contract period as herein extended, to-wit: February 18, 1952; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105374, recorded on Microfilm Roll No. 57, providing that the sum of \$973.35 shall be paid to J. W. Anderson Corporation as the City's share of the cost of the construction of storm sewers, which sum shall be paid from the fund established by Ordinance No. 4948 (New Series,) was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105375, recorded on Microfilm Roll No. 57, granting a permit to the Pacific Telephone and Telegraph Company to install and maintain a telephone pole line over and across the easterly edge of Lots 18, 19 and 20, New Riverside, lying immediately south of Montgomery Field in said City, belonging to The City of San Diego, to serve the proposed construction office of the Wherry Project; said line to be installed at the location shown on Drawing on file under Document No. 444475; under terms and conditions fully set forth in said Resolution; was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105376, recorded on Microfilm Roll No. 57, granting permission to Ira L. Coggins, 3405 Euclid Avenue, to remove 14 feet of curb on the east side of Euclid Avenue, approximately between points 300 and 314 feet north of the north line of Thorn Street, for the installation of a driveway adjacent to Lot 10, Block 1, Islenair Unit No. 1; the proposed driveway to provide off-street parking for subject location at Euclid Avenue between Thorn Street and Isla Vista Drive; under certain conditions; was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105377, recorded on Microfilm Roll No. 57, granting permission to Roy A. Cook, 4036 Promontory Street, to install a four-inch cast iron sewer line between the property line and the sidewalk; said sewer line to be placed two feet outside the property line and run in a northerly direction, parallel to the east line of Lot 21, Block 282, Pacific Beach Subdivision, to point of intersection with public sewer; proposed sewer to serve property at 1976 Oliver Avenue; subject to approval of the San Diego Health Department and the City Manager, and upon the express condition that The City of San Diego shall be held free and clear of any claim for damages by reason of the installation, operation and maintenance of said sewer line; was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105378, recorded on Microfilm Roll No. 57, authorizing L. H. Halcomb, Assistant to the City Manager, and Orin Cope, Budget Officer, to attend the annual meeting of the Managers' Section of the League of California Cities, to be held in Riverside, California, February 20 through 22, 1952; authorizing them to incur the necessary expenses in connection with said trip; was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105379, recorded on Microfilm Roll No. 57, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of The City of San Diego, a quitclaim deed to Ashley L. Bishop of property described in said Resolution, located in Block 294, Pacific Beach, according to Map thereof No. 854; authorizing delivery by the Property Supervisor of said deed to Ashley L. Bishop upon receipt by the City of deed for a portion of Block 294, Pacific Beach, required by the City; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105380, recorded on Microfilm Roll No. 57, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of The City of San Diego, a quitclaim deed to Stanley Picard of property described in said Resolution located in Block 294, Pacific Beach, according to Map thereof No. 854; authorizing delivery by the Property Supervisor of said deed to Stanley Picard upon receipt by the City of a deed for a portion of Block 294, Pacific Beach, required by the City; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105381, recorded on Microfilm Roll No. 57, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of The City of San Diego, a quitclaim deed to William I. Quinn and Barbara B. Quinn of property described in said Resolution located in Block 46, La Jolla Park, according to Map thereof No. 352; authorizing delivery by the Property Supervisor of said deed to William I. Quinn and Barbara B. Quinn upon receipt by the City of a deed for a portion of Block 46, La Jolla Park, required by the City; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105382, recorded on Microfilm Roll No. 57, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of The City of San

Diego, a quitclaim deed to Kenneth N. Rader, Emma Rader and Evelyn Lee Chang of property described in said Resolution, being a portion of Lot C, Loma Alta No. 2, according to Map thereof No. 1082; authorizing delivery by the Property Supervisor of said deed to the parties mentioned above upon receipt by the City of a deed for a portion of Pueblo Lot 205; a portion of Lot C, Loma Alta No. 2; an easement for drainage and highway purposes over and through Lot C, Loma Alta No. 2; and an easement with the right to dedicate for public use as a service road a portion of Lot C, Loma Alta No. 2; and a portion of Pueblo Lot 211; required by the City, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105383, recorded on Microfilm Roll No. 47, approving Change Order No. 2, filed as Document No. 444479, issued in connection with the contract with Walter H. Barber for the construction of an outfall sewer at 28th and Main Streets; which said contract is contained in Document No. 434680; and the changes therein set forth, amounting to an increase in the contract price of \$942.00; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105384, recorded on Microfilm Roll No. 47, approving Change Order No. 6, heretofore filed with the City as Document No. 444480, in connection with the contract with Walter H. Barber for the construction of an outfall sewer at 28th and Main Streets; and which said contract is contained in Document No. 434680; amounting to an increase in the contract price of \$855.09; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105385, recorded on Microfilm Roll No. 47, authorizing the City Manager and the City Attorney to execute a stipulation containing the terms of the compromise of a law suit; No. 164356; brought by Joe L. Shell and Nell Shell in the Superior Court of the State of California, in and for the County of San Diego; as outlined in Document No. 444481; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

ORDINANCE NO. 5068, New Series, recorded on Microfilm Roll No. 47, appropriating the sum of \$1820.00 from the Capital Outlay Fund, for the purpose of providing additional funds for the construction of a 54-inch Outfall Sewer at the Sewage Treatment Plant, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

RESOLUTION NO. 105386, recorded on Microfilm Roll No. 47, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with John Wahl and Rachel Wahl, husband and wife, for the conversion of a portion of a store building on Lots 5 and 6, Block 53, Ocean Beach, located at 4878 Newport Avenue, into non-conforming living quarters in accord with requirements and conditions specified in said contract, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105387, recorded on Microfilm Roll No. 47, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, a statement in proof of loss suffered by the City of San Diego because of a fire occurring on the 10th day of January, 1952, at the Mission Beach Roller Rink, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Jacobson Neon Sign Studio requesting a hearing relative to a neon sign that is to be erected on the face of a new store in La Jolla, California; said sign to be for Ballard & Brockett, at 7849 Girard Avenue; was again presented.

The Mayor stated that this matter had been removed from the table at this morning's session, for further consideration at this time.

In view of the City Attorney's oral opinion on the request for a sign, to the effect that the City could not legally prevent its erection, a motion was made by Councilman Schneider, seconded by Councilman Wincote, to overrule the Planning Commission's decision, and to grant the appeal of I. Jacobson.

Mr. I. Jacobson stated that, subject to the approval of his client, Ballard & Brockett, he would use 18" letters on said sign, instead of the 24" letters originally contemplated.

Councilman Swan moved that Mr. I. Jacobson be asked for a compromise offer, and that the matter be decided next Thursday. This motion did not receive a second.


Discussion followed by Councilmen Dail, Swan, Godfrey, Wincote, Kerrigan, Mayor Butler and I. Jacobson.

Glenn Rick spoke relative to rules relative to signs in the La Jolla area, prepared by the City Planning Commission in January, 1951.

All interested persons having been heard, RESOLUTION NO. 105388, recorded on Microfilm Roll No. 47, sustaining the appeal of I. Jacobson from the decision of the Planning Commission in denying his request for a neon sign to be erected on the face of the Ballard and Brockett store, 7849 Girard Avenue, La Jolla; overruling the decision of the Planning Commission, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Dail voted "Nay" on the motion

There being no further business to come before the meeting, on motion of Councilman Schneider, seconded by Councilman Dail, the meeting was adjourned, at the hour of 2:30 o'clock P.M.



Mayor of the City of San Diego, California.

(ATTEST) FRED W. SICK, City Clerk,

By Clark M. Fosta Jr Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, February 7th, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:00 o'clock A.M.

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

About twenty-one students from the Kearny High School were welcomed by the Mayor at this time. Miss Caravan and Mr. Neal were leaders for the group; all of whom stood in response to a request from the Mayor. The Mayor explained the operation of a council meeting; council conference preceding the meeting; etc. The group were invited to visit his office at the close of the session.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the Appeal of Jack O. Conner from the decision of the Zoning Committee denying permission to construct duplex and garages in addition to existing residence, making three living units, on Lots 19 and 20 and Northwesterly 10 feet of Lot 21, Block 38, Ocean Beach, on the northwest side of Del Mar Avenue, between Sunset Cliffs Boulevard, in Zone R-2, all papers in connection with the matter were presented. & Ebers St.
A report from the Senior Planning Technician was read.
Glenn Rick presented a plat of the area, and explained the situation.
Questions by Councilmen Wincote, Schneider, Swan and Godfrey were answered by Mr. Rick.

Jack O. Conner spoke. He stated he controlled a parcel 60 by 140 feet in size, and had ample space for three living units; and that none of his neighbors objected to his building plans. Also said his proposed construction would improve the district and that he had plans drawn for an additional two units.

Considerable discussion followed.

Deputy City Attorney Louis M. Karp explained the ordinance definition of a "lot"; and stated that when a man builds overlapping two lots, he has set up the property as a single building site or lot.

Councilman Swan moved to refer the matter back to the City Planning Commission. This motion did not receive a second.

A motion was made and seconded to deny the appeal and sustain the zoning committee.

Mrs. D. D. O'Brian, residing on Del Mar Avenue, and owner of adjoining property favored an R-4 use for property in this block.

Mr. K. W. McLane, residing on Del Mar Avenue, favored the establishment of an R-4 Zone.

All interested persons having been heard, RESOLUTION NO. 105389, recorded on Microfilm Roll No. 47, denying the appeal of Jack O. Conner and Laura Mae Conner, 4728 Del Mar Avenue, from the decision of the Zoning Committee in denying by its Resolution No. 6117, application No. 10186, for variance to the provisions of Ordinance No. 12793, to construct duplex and garages in addition to existing residence, making three living units, on Lot 19 and Lot 20 and the Northwesterly 10 feet of Lot 21, Block 38, Ocean Beach, on the Northwest side of Del Mar Avenue, between Sunset Cliffs Boulevard and Ebers Street, in Zone R-2; and sustaining said Zoning Committee; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The roll call on this motion showed Councilmen Schneider, Kerrigan, Godfrey and Mayor Butler voting "Yea"; Councilmen Swan and Wincote voting "Nay"; absent--Councilman Dail.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the Appeal of Byron Christie from decision of the Zoning Committee denying request to convert existing garages to living quarters for the owner, making four units on lot with one unit having 4 foot access court on Lot N, Block 168, Mission Beach, at 816-18 Ormond Court, in Zone R-4, all papers in connection with the matter were presented.

Report from the Senior Planning Technician was read.

Glenn Rick showed a plat of the area and explained the situation. The request for fourth living unit, to accomodate one man, on a parcel of ground 30 by 80 feet in area, was discussed.

Mr. Samuel Plame, residing at 102 West Arbor Drive, and owning the adjoining property, spoke in favor of the proposed construction. He stated it was physically impossible to park modern cars into garages on this 16-foot alley. He said the Alley is lined with old garages which have been converted into living quarters, and that there is not a usable garage facing on the Alley.

Byron Christie answered questions by individual councilmen.

A motion was made by councilman Wincote, seconded by Councilman Schneider, to sustain the appeal and overrule the decision of the Zoning Committee. The roll call on this motion showed Councilmen Wincote, Schneider, Kerrigan and Godfrey voting "Yea"; Councilman Swan and Mayor Butler voting "Nay"; absent--Councilman Dail.

The Mayor stated that not enough votes had been received to overrule the decision of the Zoning Committee.

A motion by Councilman Schneider, seconded by Councilman Wincote, to reconsider the matter showed Councilmen Wincote, Schneider, Kerrigan and Godfrey voting "Yea"; Councilman Swan and Mayor Butler voting "Nay"; Absent--Councilman Dail.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, the hearing was continued until Wednesday, February 13th, 1952, at the hour of 10:00 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Robert L. Haniman from the decision of the Zoning Committee denying permission to build a free-standing double face sign structure for the La Jolla Inn, on Lots H and I, Block A, Bird Rock Villas, on the west side of La Jolla Boulevard, 100 feet north of Colima Street, in Zone R-4, all papers in connection with the matter were presented.

A report from the Senior Planning Technician was read.

Glenn Rick submitted a plat and explained the situation; stating that the sign is illegal under the existing sign ordinance.

Robert L. Haniman spoke. The improvements consisted of twenty-nine units, handled more or less as a motel. He exhibited a drawing of the proposed sign; which individual councilman stated was very attractive.

All interested persons having been heard, RESOLUTION NO. 105390, recorded on Microfilm Roll No. 47, sustaining the appeal of Robert L. Haniman, from the decision of the Zoning Committee in denying by its Resolution No. 6113, application for variance to the provisions of Ordinance No. 3763 (New Series), to build a free-standing double face sign structure for the La Jolla Inn, on Lots H and I, Block A, Bird Rock Villas, on the west side of La Jolla Boulevard, 100 feet north of Colima Street, in Zone R-4; overruling the decision of said Zoning Committee; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from San Diego Area Council Boy Scouts of America, requesting in the name of the San Diego Area Council Boy Scouts of America that our Eagle Scouts for the year 1951 of the San Diego Area Council be permitted to sit as representatives for the City Offices, as they have in the past years, during annual Boy Scout Week; the boys to be present on February 13, 1952, was presented; and on motion of Councilman Swan, seconded by Councilman Wincote, the request was granted.

Claim of Michael Hernandez and Mary C. Hernandez for damages caused by blocked storm drain near 2547 Island Avenue, in the amount of \$6000.00, was presented.

RESOLUTION NO. 105391, recorded on Microfilm Roll No. 47, referring the claim of Michael Hernandez and Mary C. Hernandez, 2547 Island Avenue, filed under Document No. 444322, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Helen L. Johnson and Oscar Johnson, based on damages caused by a fall to the sidewalk by Helen L. Johnson at the intersection of Harbor Drive and Pacific Highway, resulting in a fractured neck, nervous shock, etc., in the amount of \$20,000.00, was presented.

RESOLUTION NO. 105392, recorded on Microfilm Roll No. 47, referring the claim of Helen L. Johnson and Oscar Johnson, filed under Document No. 444375, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Carl K. Ross, based on damages to his parked automobile by a City refuse truck, in the sum of \$10.00, was presented.

RESOLUTION NO. 105393, recorded on Microfilm Roll No. 47, referring the claim of Carl K. Ross, 1753 Front Street, filed under Document No. 444446, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Port Director recommending a lease with the Waterman Research Engineering Company was presented.

RESOLUTION NO. 105394, recorded on Microfilm Roll No. 47, ratifying, confirming and approving a lease of certain tidelands with Waldo D. Waterman, doing business as Waterman Research Engineering Company, for a period of five years, with option to renew for an additional five years, upon the terms and conditions contained in the form of lease under Document No. 444471, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

City Manager's approval on applications of C. H. Gatton and Blas Sanchez, on premises known as the Spanish Village No. 2, 527 - 5th Avenue, for a cabaret license and a Class C license to conduct public dance, was presented.

RESOLUTION NO. 105395, recorded on Microfilm Roll No. 47, granting permission to C. H. Gatton and Blas Sanchez, to conduct paid entertainment and cabaret at Spanish Village No. 2, 527 - 5th Avenue, where liquor is sold; subject to the regular license fee, and to compliance with existing regulations; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105396, recorded on Microfilm Roll No. 47, granting the application of C. H. Gatton and Blas Sanchez for a Class C license to conduct public dance at Spanish Village No. 2, 527 - 5th Avenue, on premises where intoxicating liquor is sold; subject to compliance with existing ordinances and regulations; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the City Engineer, approved by the City Manager, recommending amendment to proceedings for paving A Street, between 17th and 18th Streets, to include the installation of gutters and water services as required, was presented.

RESOLUTION NO. 105397, recorded on Microfilm Roll No. 47, adopting the recommendation of the City Engineer filed under Document No. 444441; authorizing said City Engineer to amend the proceedings for the improvement of A Street, between 17th Street and 18th Street, in accordance with said recommendation; was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, approved by the City Manager, recommending amendment to proceedings for paving Archer Street, Agate Street, Dawes Street, et al., to include a portion of the Alley in Lot 2, Map of Pueblo Lot 1783; also the installation of sewers in Archer Street and other streets as required, was presented.

RESOLUTION NO. 105398, recorded on Microfilm Roll No. 47, adopting the recommendation of the City Engineer filed under Document No. 444378; authorizing said City Engineer to amend the proceedings for the improvement of Archer Street, Agate Street, Dawes Street and Van Nuys Street, in accordance with said recommendation; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Engineer recommending that the Council order the paving, etc. of Roosevelt Street, between Riviera Drive and Haines Street; as this is a sandy street on about a 10% grade, and washes badly during rains; was presented.

After discussing the advisability of ordering paving without a petition from the property owners, the matter was continued until Wednesday, February 13th, 1952, on motion of Councilman Wincote, seconded by Councilman Schneider.

Communication from the Street Superintendent recommending abandoning the closing proceedings under Resolution No. 98902; in connection with subdivisions known as Collwood Terrace, Units 4, 5 and 6; was presented.

RESOLUTION NO. 105399, recorded on Microfilm Roll No. 47, abandoning the proceedings authorized by Resolution No. 98902 adopted August 1, 1950, for the closing of portion of 55th Street, lying between Lot 5 and Lot 12, Marcellena Tract; as recommended by the Street Superintendent; was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the Street Superintendent recommending amending closing proceedings under Resolution No. 104990, to include Lowell Street, and a portion of the Alley in Block 1, Glenartney, was presented. Said communication was approved by the City Manager.

RESOLUTION NO. 105400, recorded on Microfilm Roll No. 47, adopting the recommendation of the Street Superintendent filed under Document No. 444443; authorizing said Street Superintendent to amend the proceedings for the closing of portions of Lowell Street through Blocks 1, 2 and 3, Glenartney, in accordance with said recommendation; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Planning Director reporting on recent meetings of the State Board of Water Resources held in Sacramento, relative to bridges, etcetera, was presented and on motion of Councilman Wincote, seconded by Councilman Schneider, ordered filed.

Communication from the City Attorney relative to request for an Ordinance to amend Subdivision Ordinance No. 1025 (New Series), as to minimum lot sizes; stating the proposed amendment is unnecessary; as the Planning Commission and the City Council have authority to require lot sizes which are above the minimum, under certain conditions; was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed.

Communication from J. K. Stickney Jr., favoring one-way streets in the metropolitan district was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered placed in a special Highway Street file.

Communication from the Pacific Indemnity Company reporting on the claim of Grace M. Cronacher; stating that this case was closed by payment of \$25.00 on January 21st, 1952; was presented and on motion of Councilman Godfrey, seconded by Councilman Wincote, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Marion Grogan; stating that this case was closed by payment of \$37.26; was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of LaVon Moskowitz; stating that this case was closed by payment of \$254.83; was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Leo Robbins; stating that this case was closed by payment of \$10.00; was presented and on motion of Councilman Godfrey, seconded by Councilman Wincote, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Mrs. Winifred White; stating that this case was closed by payment of \$450.00; was presented and on motion of Councilman Godfrey, seconded by Councilman Wincote, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Arnold J. Fernandes; stating that this case was closed by cancellation; was presented.

RESOLUTION NO. 105401, recorded on Microfilm Roll No. 47, denying the claim of Arnold J. Fernandes, filed under Document No. 439806, was on motion of Councilman Kerrigan, seconded by Councilman Kerrigan, adopted.

Communication from the Pacific Indemnity Company, reporting on the claim of Nancy J. Rice; stating that this case was closed by cancellation; was presented.

RESOLUTION NO. 105402, recorded on Microfilm Roll No. 47, denying the claim of Nancy J. Rice, 2125 Chatsworth Boulevard, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105403, recorded on Microfilm Roll No. 47, authorizing and empowering the City Manager to enter into a lease with La Jolla Town Council, Inc. for the leasing of Lots 36, 37, 38, 39 and 40, Block 32 of La Jolla Park, according to Map No. 352, together with the building, furnishings and equipment thereon situated, at an annual rental of \$100.00 per year, plus an additional percentage rental, for a period of five years beginning July 1, 1951; upon the terms and conditions as set forth in form of lease contained in Document No. 442989; which said real property has a value of \$50,000.00; and which land is being leased for the reason that the City will derive revenue therefrom not otherwise obtainable; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105404, recorded on Microfilm Roll No. 47, authorizing the City Manager to do all the work in connection with the renewal and/or lowering of 104 services to grade, and the connection of the same to property pipes, in the Alleys in Blocks 96, 97, 99, 100; 103, 104 and 107, Mission Beach, by appropriate City forces; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105405, recorded on Microfilm Roll No. 47, authorizing the City Manager to do all the work in connection with the renewal and/or lowering and/or transfer of 58 services, and the connection of the same to property pipes, in Thomas Street, between Gresham Street and Jewell Street, and in Reed Street, between Jewell Street and Ingraham Street, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

After some discussion, as to whether or not a precedent was being established, RESOLUTION NO. 105406, recorded on Microfilm Roll No. 47, authorizing the payment from the Travel Expense Account of personal transportation and the transportation of household effects from Berkeley to San Diego, California, of Mr. Richard Gallagher, Director of Public Works, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105407, recorded on Microfilm Roll No. 47, authorizing the City Manager to enter into an agreement with San Diego Associates, a corporation, relative to the installation of water mains, etc., in Bellevue Heights No. 6; permitting said San Diego Associates to be relieved of their subdivision bond, etc.; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105408, recorded on Microfilm Roll No. 47, authorizing the City Manager to enter into a contract with Carlos Tavares, Marjorie C. Tavares, Louis C. Burgener and Patricia W. Burgener, subdividers of that certain subdivision known as "Clairemont Unit No. 1", for the installation of water mains, etc. in and near said Subdivision; the City to reimburse the subdividers the sum of \$13,538.12 for the difference in cost of water mains needed by the subdivision, and the larger size water mains required by the City; was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105409, recorded on Microfilm Roll No. 47, accepting the Quitclaim deed executed to the City of San Diego by Carlos Tavares, Marjorie C. Tavares, Louis C. Burgener and Patricia W. Burgener, covering all water mains and appurtenant structures located on public streets and public places, either within or without the subdivision named Clairemont Unit No. 1, as shown on Map No. 2725; authorizing the City Clerk to file the said deed, together with a certified copy of this resolution for record in the office of the said County Recorder; was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105410, recorded on Microfilm Roll No. 47, abandoning certain easements across the rear of lots in Block 5 of Drucker's Subdivision; authorizing and empowering the Mayor and City Clerk to execute for and on behalf of, and as the act and deed of The City of San Diego, a quitclaim deed to Elvis J. Curtis and Caroline K. Curtis, husband and wife, as joint tenants, an easement across the Northwesterly six feet of portions of Lots 13 and 14 in Block 5 of Drucker's Subdivision, as per map No. 1584, etc., was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105411, recorded on Microfilm Roll No. 47, accepting the quitclaim deed of San Diego Gas & Electric Company, formerly San Diego Consolidated Gas & Electric Company, a corporation, executed in favor of the City of San Diego, quitclaiming to said City the Southwesterly 3 feet of Lots 1 to 9; the Northwesterly 6 feet of Lots 10 to 14; and the Northeasterly 3 feet of Lots 15 to 23; all in Block 5 of Drucker's Subdivision, as per map thereof No. 1584; authorizing and directing the City Clerk to file the said deed for record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105412, recorded on Microfilm Roll No. 47, accepting the quitclaim deed of The Pacific Telephone and Telegraph Company, executed in favor of The City of San Diego, quitclaiming to said City the Southwesterly 3 feet of Lots 1 to 9, inclusive; the Northwesterly 6 feet of Lots 10 to 14, inclusive; and the Northeasterly 3 feet of Lots 15 to 23, inclusive, all in Block 5 of Drucker's Subdivision, as per map No. 1584; authorizing and directing the City Clerk to file the said deed for record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105413, recorded on Microfilm Roll No. 47, accepting the quitclaim deed of San Diego Transit System, a Corporation, executed in favor of The City of San Diego, a municipal corporation, quitclaiming to said City the Southwesterly 3 feet of Lots 1 to 9, inclusive; the Northwesterly 6 feet of Lots 10 to 14, inclusive; and the Northeasterly 3 feet of Lots 15 to 23, inclusive; all in Block 5 of Drucker's Subdivision, as per map No. 1584; authorizing and directing the City Clerk to file the said deed for record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105414, recorded on Microfilm Roll No. 47, accepting the deed of E. H. Crabtree and Genevieve N. Crabtree, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Pueblo Lot 1119 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe filed as Miscellaneous Map No. 36; setting aside and dedicating to the public use the land therein conveyed, as and for a public street; and naming the same Camino Del Rio; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this Resolution; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105415, recorded on Microfilm Roll No. 47, accepting the deed of Ruth Haller Ottaway Sokoloff and Nikolai Sokoloff, executed in favor of The City of San Diego, conveying to said City a portion of Lot 16 in La Jolla Hills, according to Map thereof No. 1479; setting aside and dedicating to the public use as and for a public street the land therein conveyed; and naming the same Torrey Pines Road; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105416, recorded on Microfilm Roll No. 47, accepting the deed of Homer M. McClure and Portia E. McClure, executed in favor of The City of San Diego, conveying to said City portions of Lots 20, 21, 22 and 23, Block 1, Berkeley Heights, according to Map thereof No. 1131; setting aside and dedicating to the public use the land therein conveyed as and for a public street, and naming the same University Avenue; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105417, recorded on Microfilm Roll No. 47, accepting the deed of A. R. Jennings and Florene C. Jennings, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lots 43 and 44, Block 3, Sun Harbor Tract No. 1, according to Map thereof No. 1619; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105418, recorded on Microfilm Roll No. 47, accepting the deed of John H. Newton, Jennie M. Newton and Dassah S. Newton, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lots 21, 22, 23 and 24, Block 8, Frary Heights, according to Map thereof No. 940; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105419, recorded on Microfilm Roll No. 47, accepting the deed of William Y. Quinn and Barbara B. Quinn, executed in favor of The City of San Diego, conveying to said City an easement and right of way for slope rights through, along and across a portion of Lot 13, Block 46, La Jolla Park, according to Map thereof No. 352; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105420, recorded on Microfilm Roll No. 47, accepting the deed of E. H. Crabtree and Genevieve N. Crabtree, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Pueblo Lot 1119 of the Pueblo Lands of San Diego, according

to Map thereof by James Pascoe, filed as Miscellaneous Map No. 36 in the Office of the Recorder of San Diego County; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105421, recorded on Microfilm Roll No. 47, accepting the deed of Western Area Housing Company, a corporation, executed in favor of The City of San Diego, conveying to said City an easement and right of way for water main purposes through, along and across a portion of Block "A", Cabrillo Heights, according to Map thereof No. 2839; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

ORDINANCE NO. 5069, New Series, recorded on Microfilm Roll No. 47, establishing the grade of the Alleys in Block 44, W. P. Herbert's Subdivision, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading by the following vote, to-wit: Yeas-- Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Dail.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Dail.

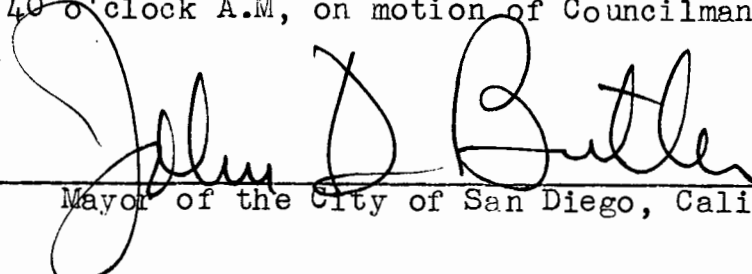
ORDINANCE NO. 5070, New Series, recorded on Microfilm Roll No. 47, establishing the grade of Wawona Drive, between Capistrano Street and Oliphant Street, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Dail.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Dail.

Communication from the City of Hayward transmitting copy of Resolution adopted by its City Council relative to Senate Bill 940 and H. R. 4484 was presented. Said Resolution petitioned Congress to act favorably upon and adopt Senate 940 or H. R. 4484. Said Legislation would confirm and establish the title of the States to lands beneath navigable waters within State Boundaries, and natural resources within such lands and waters, and to provide for the use and control of said lands and resources.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was referred to Council Conference.

There being no further business to come before the meeting at this time, the meeting was adjourned at the hour of 11:40 o'clock A.M., on motion of Councilman Schneider, seconded by Councilman Godfrey.


Mayor of the City of San Diego, California.

(ATTEST)

FRED W. SICK, City Clerk,

By 
Deputy.

REGULAR MEETING
Chamber of the Council of The City of San Diego, California,
Wednesday, February 13th, 1952

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:08 o'clock A.M.

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

The minutes of the Regular Meeting of Tuesday, February 5th, 1952, and the Regular Meeting of Thursday, February 7th, 1952, were presented to the Council by the Clerk.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said Minutes were approved without reading, after which they were signed by the Mayor.

At this time the Mayor presented Eagle Scouts of San Diego Area Council Boy Scouts of America, who had been delegated to attend the Council meeting as representatives for various City Offices.

The Eagle Scouts so delegated, and the Officers they were representing, were as follows:

Mayor, Don Mumper; Councilman, First District, James Schaul; Councilman, Second District, Philip Dodge; Councilman, Third District, Dave Sherlock; Councilman, Fourth District, Leo Arlington; Councilman, Fifth District, Bill Hart; Councilman, Sixth District, Roger Ballard; City Manager, Douglas Kleckner, Assistant City Manager, Dave Kemper; City Attorney, Terry Leonard; City Auditor, Willis Kauffman; City Clerk, Tom Porter; City Engineer, Ted Townsend; Acting Director of Water Department, Glenn Tuttle; Director Health Department, Dale Hoffland; Chief, Police Department, Ken MacKenzie; Chief, Fire Department, Theodore Leonard.

The Eagle Scouts were presented individually; after which the Mayor explained the Council's voting procedure, the Calendar of Business, the opening of Bids, etc.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of the Alleys in Blocks 96, 97, 99, 100, 103, 104 and 107; Mission Beach; Santa Barbara Place, Mission Boulevard, Ventura Boulevard and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 104662, the Clerk reported that three bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Al E. Riley, Inc., accompanied by a bond from the Fidelity and Casualty Company of New York, in the sum of \$4000.00, which bid was given Document No. 444674;

The bid of R. E. Hazard Contracting Co., accompanied by a bond from the Pacific Indemnity Company, in the sum of \$3500.00, which bid was given Document No. 444675;

The bid of T. B. Penick & Sons, accompanied by a bond from the Massachusetts Bonding and Insurance Company, in the sum of \$4000.00, which bid was given Document NO. 444676.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock AM. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Ninth Avenue, between the north line of Johnson Avenue and a line parallel to and distant 290.00 feet northerly from the north line of Johnson Avenue, within the limits and as particularly described in Resolution of Intention No. 104664, the Clerk reported that four bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Griffith Company, accompanied by a bond from the National Surety Corporation, in the sum of \$800.00, which bid was given Document No. 444677;

The bid of Daley Corporation, accompanied by a bond from the Glens Falls Indemnity Company, in the sum of \$850.00, which bid was given Document No. 444678;

The bid of R. E. Hazard Contracting Co., accompanied by a bond from Pacific Indemnity Company, in the sum of \$1000.00, which bid was given Document No. 444679;

The bid of V. R. Dennis Construction Co., accompanied by a bond from the V. R. Dennis Construction Co., accompanied by statement that V. R. Dennis is an individual doing business as V. R. Dennis Construction Company, which bid was given Document No. 444680.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Thomas Avenue, between Gresham Street and Jewell Street, and Reed Avenue, between Ingraham Street and Jewell Street, within the limits and as particularly described in Resolution of Intention No. 104665, the Clerk reported that five bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Griffith Company, accompanied by a bond from the National Surety Corporation in the sum of \$4600.00, which bid was given Document No. 444681;

The bid of Daley Corporation, accompanied by a bond from Glens Falls Indemnity Company in the sum of \$5000.00, which bid was given Document No. 444682;

The bid of V. R. Dennis Construction Co., accompanied by a bond from the American Surety Company of New York, which bid was given Document No. 444683;

The bid of R. E. Hazard Contracting Co., accompanied by a bond from the Pacific Indemnity Company, in the sum of \$5000.00, which bid was given Document No. 444684;

The bid of Cox Bros. Const. Co., accompanied by a bond from the Great American Indemnity Company, in the sum of \$6000.00, which bid was given Document No. 444685.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 1, for a period of one year, from and including December 1, 1951, in accordance with Engineer's Report and Assessment for said El Cajon Boulevard Lighting District No. 1, filed in the office of the City Clerk, the Clerk reported that one bid had been received, which bid was presented to the Council.

Thereupon, on motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by a certified check in the sum of \$228.48; which bid was given Document No. 444687.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Logan Avenue Lighting District No. 1, for a period of one year, from and including November 16th, 1951, in accordance with Engineer's Report and Assessment for said Logan Avenue Lighting District No. 1, filed in the office of the City Clerk, the Clerk reported that one bid had been received, which bid was presented to the Council.

Thereupon, on motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by a certified check in the sum of \$33.90; which bid was given Document No. 444688.

On motion of Councilman Schneider, seconded by Councilman Swan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Montemar Lighting District No. 1, for a period of one year, from and including December 16, 1951, in accordance with Engineer's Report and Assessment for said Montemar Lighting District No. 1, filed in the office of the City Clerk, the Clerk reported that one bid had been received, which bid was presented to the Council.

Thereupon, on motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by a certified check in the sum of \$67.32; which bid was given Document No. 444689.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District No. 1, for a period of one year, from and including November 5, 1951, in accordance with Engineer's Report and Assessment for said Pacific Highway Lighting District No. 1, filed in the office of the City Clerk, the Clerk reported that one bid had been received, which bid was presented to the Council.

Thereupon, on motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by a certified check in the sum of \$276.58; which bid was given Document No. 444690.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing of the appeal of Byron Christie from decision of Zoning Committee denying permission to convert existing garages to living quarters for the owner, making four units on the lot, with one unit having four-foot access court on Lot N, Block 168, Mission Beach, at 816-18 Ormond Court, in Zone R-4, all papers in connection with the matter were again presented.

Mr. Samuel Plame explained the existing situation, and outlined the status of the present units and the remaining space, including a four-foot access court. He stated the plans could be revised to widen the access court, and presented pictures showing the present improvements on the lot in question.

A motion was made by Councilman Schneider, seconded by Councilman Wincote, to grant the appeal and overrule the decision of the Zoning Committee.

Councilman Godfrey mentioned the four-foot access way as being too narrow. Councilman Swan mentioned that the present units were built in 1948. He inquired where the occupants would park their cars after the garage space was converted to residential use. He inquired about the use made of other garages in the block. This question was answered by Samuel Plame, to the effect that most of the garages have been altered to living quarters. He stated that of sixteen garage structures in the block eight are now garage-dwellings and eight are used for storage rooms, sheds, etc.

Councilman Kerrigan inquired about the four-foot entryway between buildings. Samuel Plame stated this situation could be "cured".

Glenn Rick reported on his inspection of the property earlier in the day. He submitted a sketch of the block, stating that more than three garages facing on the 16-foot alley were now in use to store automobiles.

Samuel Plame agreed to establish a ten-foot court for access purposes to replace the four-foot access court shown on his plans.

Councilman Schneider made a motion to grant the appeal; provided the property owner is able to meet the requirements for space area. The motion did not receive a second.

Glenn Rick said this last motion, if passed, would deny the application, which was for a four-foot access court.

Councilman Schneider withdrew his motions to grant the appeal outright; and to grant the appeal provided the property owner is able to meet the requirements for space area.

All interested property owners having been heard, RESOLUTION NO. 105422, recorded on Microfilm Roll No. 47, referring back to the City Planning Commission, and/or the Zoning Committee the appeal of Byron Christie from the decision of the Zoning Committee in denying by its Resolution No. 6137, application No. 10220, for variance to the provisions of Ordinance No. 8924, to convert existing garages to living quarters for owner, making 4 units on lot with one unit having four-foot access court on Lot N, Block 168, Mission Beach, at 816-18 Ormond Court, in Zone R-4, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Claim of Mrs. Ruth V. Kerfoot for \$300, based on a fall to the sidewalk at 22nd Street near Broadway, and the resulting damages and personal injuries, was presented.

RESOLUTION NO. 105423, recorded on Microfilm Roll No. 47, referring the claim of Mrs. Ruth V. Kerfoot, filed under Document No. 444573, to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Claim of Mrs. Irma Lessner for \$441.25, based on damage from sewer stoppage at 4928 Vista Place, was presented.

RESOLUTION NO. 105424, recorded on Microfilm Roll No. 47, referring the claim of Mrs. Irma Lessner, 4928 Vista Place, filed under Document No. 444531, to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Claim of Netta Semerad, based on damage from sewer water overflowing at 440 Toyne Street, for a sum of \$65.00, was presented.

RESOLUTION NO. 105425, recorded on Microfilm Roll No. 47, referring the claim of Netta Semerad, 440 Toyne Street, filed under Document No. 444560, to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Port Director requesting permission to remove existing curbs and sidewalks and construct 2900 square feet of sidewalk and 758 lineal feet of curb in the vicinity of the Lindbergh Field Administration Building was presented.

RESOLUTION NO. 105426, recorded on Microfilm Roll No. 47, authorizing and empowering the Port Director to do all the work in connection with the removal of existing curbs and sidewalks and the construction of new curbs and sidewalk in the vicinity of the Lindbergh Field Administration Building by appropriate City forces in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on seven bids received for the installation of 6" distribution mains, together with 3/4" copper services, fittings and appurtenances, was presented.

RESOLUTION NO. 105427, recorded on Microfilm Roll No. 47, accepting the bid of V. R. Dennis Construction Company for installation of approximately 15,920 feet of 6-inch distribution mains, together with approximately 5,800 feet of 3/4-inch copper services, fittings and appurtenances for the sum of \$39,695.80; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on three bids received for the construction of sewer replacement and connections from Crown Point Pumping Station northeasterly to Pendleton Street, was presented.

RESOLUTION NO. 105428, recorded on Microfilm Roll No. 47, accepting the bid of Charles J. Dorfman for construction of sewer replacement and connections from Crown Point Pumping Station northeasterly to Pendleton Street, at an estimated total of \$48,330.80; awarding the contract and authorizing the City Manager to execute the same;

was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on seven bids received for the demolition and removal of Old Morena Boulevard Bridge over the San Diego River, was presented.

RESOLUTION NO. 105429, recorded on Microfilm Roll No. 47, accepting the bid of Macco Corporation for the demolition and removal of Old Morena Boulevard Bridge over the San Diego River, offering to pay The City of San Diego the sum of \$350.00 for the privilege of removing the entire structure; awarding the contract for removal of said bridge to the said Macco Corporation; authorizing the City Manager to execute the contract; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105430, recorded on Microfilm Roll No. 47, approving the plans, specifications, etc. for the furnishing and erection of industrial type chain link fence around Alvarado Filtration Plant sludge basin, contained in document No. 444613; approving the wage scale contained insaid specifications; authorizing the Purchasing Agent to publish notice to contractors calling for bids for said work, in accordance with the plans and specifications referred to; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105431, recorded on Microfilm Roll No. 47, approving the plans, specifications, etc. for the improvement of Belt Street from Westgate-Sun Harbor Lease Line to Harbor Drive, contained in Document No. 444615; approving the wage scale contained in said specifications; authorizing the Purchasing Agent to publish notice to contractors calling for bids for said work, in accordance with the plans and specifications referred to; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105432, recorded on Microfilm Roll No.47, approving the plans, specifications, etc. for the construction of Pacific Beach Vista storm drain, Pacific Beach, California, contained in Document No. 444617; approving the wage scale contained in said specifications; authorizing the Purchasing Agent to publish notice to contractors calling for bids for said work, in accordance with the plans and specifications referred to; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105433, recorded on Microfilm Roll No. 47, approving the plans, specifications, etc. for the construction of sewer replacement from Pacific Beach Pumping Station easterly, contained in Document No. 444619; approving the wage scale contained in said specifications; authorizing the Purchasing Agent to publish notice to contractors calling for bids for said work, in accordance with the plans and specifications referred to; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, recommending advertising for bids for reinforced concrete cylinder pipe and appurtenances for the Oregon Street pipe line replacement, was presented.

RESOLUTION NO. 105434, recorded on Microfilm Roll No. 47, authorizing and directing the Purchasing Agent to advertise for bids for furnishing and delivering reinforced concrete cylinder pipe and appurtenances for Oregon Street pipe line replacement, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file under Document No.444691, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105435, recorded on Microfilm Roll No. 47, authorizing and directing the Purchasing Agent to purchase from Harry Foster, without advertising for bids therefor, one Adams Grader, at a cost not to exceed the sum of \$7,725.00, including sales tax, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from the City Planning Commission recommending suspension of three sections of the Subdivision Ordinance relative to the Tentative Map of Campus Heights, was presented.

RESOLUTION NO. 105436, recorded on Microfilm Roll No. 47, suspending sections 4A8 and 6 and Section 5c of the Subdivision Ordinance in connection with the Tentative Map of Campus Heights, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission recommending approval of the Tentative Map of Campus Heights, subject to eleven conditions, was presented.

RESOLUTION NO. 105437, recorded on Microfilm Roll No. 47, approving the Tentative Map of Campus Heights, a subdivision of a portion of Lot 9 of La Mesa Colony into 16 lots, located on the east side of 62nd Street, approximately 400 feet south of El Cajon Boulevard and opposite the Campus Drive-in Theatre, subject to eleven conditions contained in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 11:00 o'clock A.M. having arrived, the Eagle Scouts were excused from the meeting, to continue their itinerary for the day; which included a visit to the City Jail, a trip on the City fire tug, etc.

At this time a majority of the members of the City Council signed a contract with the San Diego Gas & Electric Company for La Jolla Shores Lighting District No. 1.

Communication from the City Planning Commission submitting a Resolution suspending eight sections of the Subdivision Ordinance relative to the Tentative and Final Maps of Loma Valley was presented.

A motion was made by Councilman Kerrigan, seconded by Councilman Dail, to adopt the Resolution.

The Mayor stated that a Revised Tentative Map has been approved by the City Planning Commission, under ten conditions. He read the conditions contained in the proposed Resolution approving the tentative Map.

Asked if this was a regular Council hearing, Deputy City Attorney Louis M. Karp stated that at the present time "there is no legal requirement for a hearing".

Councilman Dail stated that on two sides of the subject property there were subdivisions with lots of 5000 square feet each.

Mr. Frank Soule, a resident on Pueblo Lot 172, protested. He mentioned a petition being signed for an R-1C Zone in the district; which would call for lots with 10,000 square feet areas. He stated that a majority of the people in the vicinity wanted an R-1C Zone in the surrounding district, and also in the new proposed subdivision.

An extract from an opinion of the City Attorney relative to minimum lot sizes in new subdivisions was read by the Mayor. It was pointed out that the revised tentative map showed lots with a frontage of 55 feet, instead of the 50-foot lots first proposed.

Mr. Frank Soule mentioned conditions outlined in the proposed Resolution approving the tentative map. He expressed doubt on the ability of City officials to enforce all of them. It was explained that compliance with these conditions was a requirement before the final map would be accepted.

Councilmen Dail and Godfrey mentioned fifty-foot and twenty-five-foot lots in near-by subdivisions.

Mr. Arthur Sharp, of 759 Bangor Street, stated that the 25-foot lots were on a steep slope; and that the 50-foot lots are on top of a bluff.

Legal rights of landowners were discussed by Councilman Schneider and the opponents to the proposed subdivision.

The Mayor stated that this was not a "sub-standard" subdivision, as claimed by the opponents.

Councilman Wincote commented on the unfiled petition for an R-1C Zone; stating it would take 60 to 90 days to re-zone the area.

Dr. Alonzo De Jessop protested as owner of two acres in Pueblo Lot 172, adjacent to the new subdivision, and Lots 7 and 8, in La Playa Heights. He favored lots with a minimum of 18,000 square feet area. He thoroughly objected to the proposed subdivision with lots of approximately 5000 square feet.

Mr. Milton Fairbanks spoke relative to zoning variances already granted; and the legal rights of the subdividers. He said they would not take a loss at current prices by using 10,000 square foot lots. Councilmen Wincote and Godfrey commented on Mr. Fairbanks' remarks.

Three representatives of William P. Kessling, the subdivider, were present.

Mr. Reed, interested from the subdivider's standpoint spoke in favor of the tentative map of Loma Valley, as revised. He said the subdivider has complied with every request of the City Planning Commission.

Engineer Steward, stated a number of 50-foot lots in the area have been improved.

A roll call on the above motion showed all members voting "Yea".

Mr. R. W. Town, of 3654 Dupont Street, inquired as to permitted duplexes, and the possibility of restricting houses to 1200 square feet, or larger. He mentioned a possible traffic problem to be created on Gage Lane, which runs through the new subdivision.

The desirability of dwellings 1200 square feet in area was discussed by several people. Dr. Alonzo De Jessop claimed such a house was altogether too small.

All interested persons having been heard, RESOLUTION NO. 105438, recorded on Microfilm Roll No. 47, suspending sections 3E2, 3G1 and 2, 3E4, 3I1, 4A8 and 6 and Section 5C of the Subdivision Ordinance in so far as they relate to the Tentative and Final Maps of Loma Valley, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105439, recorded on Microfilm Roll No. 47, approving the revised Tentative Map of Loma Valley, a subdivision of a portion of Pueblo Lot 180 into 42 lots, located along Gage Drive between Jennings Street and Charles Street, subject to ten conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission recommending amendment to Resolution No. 105031, relative to the tentative Map of North Clairemont, was presented.

RESOLUTION NO. 105440, recorded on Microfilm Roll No. 47, amending Resolution No. 105031, in connection with the Tentative Map of North Clairemont, in so far as item 6 is concerned, to read, "6. That the full roadways on all streets and alleys within the subdivision boundaries, except Clairemont Drive, be paved curb to curb, and on Clairemont Drive, two 20-foot strips of pavement, adjacent to the curbs, together with the principal intersections, be paved. (The ultimate roadway on Clairemont Drive will consist of two 32-foot wide driveways separated between intersections by a 6-foot to 18-foot wide island.) All paving shall conform to the Pavement Standards contained in Schedule "A" dated September 1, 1951.", was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission recommending rezoning a portion of Lot 15, La Mesa Colony, for the San Diego Unified School District, was presented.

RESOLUTION NO. 105441, recorded on Microfilm Roll No. 47, granting the petition for rezoning the west 190 feet of the south 270 feet of Lot 15, La Mesa Colony, adjacent to the present Montezuma School, from Zone R-1 to Zone R-2, as recommended by the City Planning Commission under Document No. 444623; directing the City Attorney to prepare the necessary ordinance to effect such rezoning; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

An unidentified representative of the Beverly Hill Civic Association made an oral request for assistance from the Council in securing bus service from the Beverly Hill District; and also requested a walkway from Hilltop Drive or Geneva Street to Euclid Avenue or 47th Street.

RESOLUTION NO. 105442, recorded on Microfilm Roll No. 47, referring to the City Manager the oral request of a representative of the Beverly Hill Civic Association for bus service for school children and others from the Beverly Hill District; and the oral request for a walkway from Hilltop Drive or Geneva Street to Euclid Avenue and/or 47th Street; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission recommending rezoning portions of Pueblo Lots 1202 and 1203, as requested by the San Diego Unified School District, was presented.

RESOLUTION NO. 105443, recorded on Microfilm Roll No. 47, granting the petition for rezoning portions of Pueblo Lots 1202 and 1203, as recommended by the City Planning Commission under Document No. 444624; directing the City Attorney to prepare the necessary ordinance to effect such rezoning; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the City Manager recommending filing letter from Violet Beck relative to the drainage problems in Chollas Valley, was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed; together with the letter from Violet Beck.

Communication from the City Manager recommending filing letter from the Guadalupe Committee relative to the forthcoming religious census, was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed; together with the letter from the Guadalupe Committee.

Communication from the City Manager recommending filing letter from Mrs. E. F. Von Dreden relative to a hazard arising from children playing in the street at the intersection of Arizona Street and Collier Avenue, was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed; together with the letter from Mrs. E. F. Von Dreden.

Communication from the City Engineer recommending that the Council order the paving, etc. of Roosevelt Street, between Riviera Drive and Haines Street, continued from the meeting of February 7th, 1952, was presented.

City Engineer A. K. Fogg reported that a petition has now been filed by property owners for this proposed work.

RESOLUTION NO. 105444, recorded on Microfilm Roll No. 47, granting the petition for paving and otherwise improving Roosevelt Street, between Riviera Drive and Haines Street, and Haines Street, between the southerly line of Roosevelt Street and a line approximately 100 feet southerly, contained in Document No. 444659; authorizing and directing the City Engineer to prepare and submit a plat of the district to be assessed for the proposed improvement; was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the City Engineer recommending change of grade proceedings on portions of Sixth Avenue and University Avenue, was presented; bearing the approval of the City Manager.

RESOLUTION NO. 105445, recorded on Microfilm Roll No. 47, directing the City engineer to furnish the Council with a description or a map for the change of grade on 6th Avenue, between the southerly line of Pennsylvania Avenue and the northerly line of University Avenue; and University Avenue, between the westerly line of 6th Avenue and the easterly line of the Alley in Block 5, Crittenden's Addition, in accordance with the recommendation of the City Engineer, filed under Document No. 444529, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Acceptance of San Diego Transit System of Bus Franchise from the City was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

RESOLUTION NO. 105446, recorded on Microfilm Roll No. 47, directing notice of filing of assessment for paving the Alleys in Block 69, Ocean Beach, under Resolution of Intention No. 101713, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105447, recorded on Microfilm Roll No. 47, directing notice of filing of assessment, for paving Riley Street, between Jefferson and Congress Streets, under Resolution of Intention No. 102629, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105448, recorded on Microfilm Roll No. 47, adopting the plans, drawings, typical cross-sections, profiles and specifications for the paving of Island Avenue, between Front Street and Union Street, contained in Document No. 444499; and adopting and approving Plat No. 2322, showing the exterior boundaries of the district to be included in the assessment for the work and improvement; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 105449, recorded on Microfilm Roll No. 47, for the paving and otherwise improving of the Alley in Block 67, Point Loma Heights, under Resolution of Intention No. 104943, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 105450, recorded on Microfilm Roll No. 47, for the paving and otherwise improving of Pynchon Street, between Logan Avenue and Ocean View Boulevard, under Resolution of Intention No. 104944, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105451, recorded on Microfilm Roll No. 47, for paving Island Avenue, between Front Street and Union Street, within the limits, at the grades, and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 105452, recorded on Microfilm Roll No. 47, for paving Reed Avenue, between Mission Boulevard and Cass Street, and a portion of Mission Boulevard, within the limits, at the grades, and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 105453, recorded on Microfilm Roll No. 47, for the furnishing of electric current for lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 2, for the period of one year from and including March 5, 1952, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105454, recorded on Microfilm Roll No. 47, appointing time and place for hearing protests, and directing notice of said hearing, for furnishing of electric current for lighting of the ornamental street lights located on or along streets in Garnet Street Lighting District No. 1, for a period of one year from and after January 30, 1952, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105455, recorded on Microfilm Roll No. 47, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work of paving and otherwise improving the Alley in Block 5, Chester Park Addition, was on motion of Councilman Dail, seconded by Councilman Swan, adopted; the work being particularly described in Resolution of Intention No. 103892.

RESOLUTION NO. 105456, recorded on Microfilm Roll No. 47, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work of paving and otherwise improving the Alleys in Blocks 155, 159 and 160, Mission Beach; and Bayside Lane; as described in Resolution of Intention No. 103449, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105457, recorded on Microfilm Roll No. 47, approving the diagram of the property affected or benefited by the paving and otherwise improving of Jarvis Street and Scott Street, as described in Resolution of Intention No. 102546, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105458, recorded on Microfilm Roll No. 47, approving the diagram of the property affected or benefited by the paving and otherwise improving of La Jolla Hermosa Avenue, between La Canada and Camino de la Costa, as described in Resolution of Intention No. 103208, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105459, recorded on Microfilm Roll No. 47, authorizing the City Manager to make application to the County Board of Supervisors for an option to purchase tax-deeded Lots 6 and 7, Block 11, Hoitt's Addition, in the City of San Diego; and to take all necessary steps to acquire from the State of California the lands hereinabove described; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105460, recorded on Microfilm Roll No. 47, authorizing and empowering the City Manager to do all the work in connection with the plugging of certain water mains in El Cajon Boulevard and the 16-inch main near the University Heights Tank, in order to permit cutting out of service of the existing University Heights Pumping Plant on El Cajon Avenue, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105461, recorded on Microfilm Roll No. 47, approving the "Agreement of Compromise and Release of Claims", contained in Document No. 444408, with C. B. Saunders in connection with the construction of Bayview Reservoir; said contract

being contained in Document No. 412449; authorizing the City Auditor to pay \$2500.00 in compromise of a certain claim described in said Resolution; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105462, recorded on Microfilm Roll No. 47, granting permission to Oda D. Irwin, 7078 Vista Del Mar Avenue, to install a 45-foot driveway, on the westerly side of Vista Del Mar Avenue, approximately between points 53 feet and 98 feet south of the south line of Rosemont Street, adjacent to Lots 5 to 8, inclusive, Block 14, La Jolla Strand, to provide access to a four-car garage on Vista Del Mar Avenue, between Rosemont Street and Palomar Avenue; under certain conditions; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105463, recorded on Microfilm Roll No. 47, granting permission to Scripps Metabolic Clinic, 464 Prospect Street, La Jolla, to connect the sewer for the new clinic addition with a fall of not less than 1/8" per foot in lieu of the 1/4" per foot fall as required by the Ordinance; also granting permission to allow diluted acid solutions to enter the sewer with the understanding that the rate of dilution will be sufficient to obviate the possibility of damaging the lines; subject to approval of the City Manager and the Department of Public Health, and upon the express condition that the City of San Diego shall be held free and clear of any claim for damages by reason of the installation operation and maintenance of said line; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105464, recorded on Microfilm Roll No. 47, granting permission to Western Service & Equipment Company, 3641 Rosecrans Street, to widen a third driveway south of Frontier Street, on the easterly side of Rosecrans Street, ten feet to the south, so as to provide a 40-foot driveway, as measured at the top of the full height curb, adjacent to Lot 316, Pueblo Lands, San Diego; to facilitate access to a service station on the southeasterly corner of Rosecrans Street, between Midway Drive and Frontier Street; under conditions specified in said Resolution; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 5071, New Series, recorded on Microfilm Roll No. 47, appropriating the sum of \$52,000.00 from the 1951 Sewer Bond Fund of The City of San Diego, for the purpose of providing funds for the replacement and construction of a connection from the Crown Point Pumping Station to Pendleton Street, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5072, New Series, recorded on Microfilm Roll No. 47, appropriating the sum of \$5,000.00 from the Unappropriated Balance of The City of San Diego, and transferring the same to equipment outlay, Auto Shops Division, Department of Public Works Fund, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5073, New Series, recorded on Microfilm Roll No. 47, appropriating the sum of \$1,450.00 from the Unappropriated Balance of The City of San Diego, and transferring the same to the Auditor and Comptroller's Department Fund of said City, was on motion of Councilman Dail, seconded by Councilman Wincote, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5074, New Series, recorded on Microfilm Roll No. 47, authorizing the execution of a lease of certain Pueblo Lands of The City of San Diego with William E. Derbonne; being a portion of Pueblo Lot 1360; was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5075, New Series, recorded on Microfilm Roll No. 47, establishing the grade of the Alley in Block 2, City Heights, according to Map No. 1007, between the south line of Dwight Street and the north line of Myrtle Avenue, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5076, New Series, recorded on Microfilm Roll No. 47, establishing the grade of the Alleys in Blocks 206 and 207, Mission Beach, according to Map thereof No. 1809, on file in the office of the County Recorder of San Diego County, California, was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Wincote, Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

ORDINANCE NO. 5077, New Series, recorded on Microfilm Roll No. 47, establishing the grade of Catocin Drive, between the north line of La Mesa Colony, according to Map No. 346, on file in the office of the County Recorder of San Diego County, California, and the west prolongation of the north line of Lot A, La Mesa Colony, according to said Map, was on motion of Councilman Wincote, seconded by Councilman Dail, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

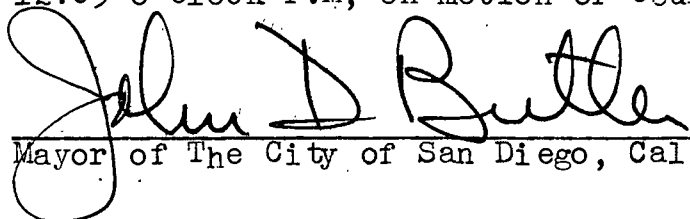
ORDINANCE NO. 5078, New Series, recorded on Microfilm Roll No. 47, establishing the grade of Ocean Front Walk, between the westerly prolongation of the northerly and southerly lines of El Carmel Place, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

RESOLUTION NO. 105465, recorded on Microfilm Roll No. 47, authorizing Pauline des Granges, Jack Hoxsey, Ralph Smith, Ralph Trembley, Maria Fielding, John Wood, Stuart Harder and Jerry Wetzell, of the Park and Recreation Department of The City of San Diego, Recreation Division, to attend the Fourth Annual California State Recreation Conference, to be held at Fresno, California, from February 18th through February 21, 1952; authorizing them to incur all expenses necessary in connection with said trip; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105466, recorded on Microfilm Roll No. 47, authorizing and directing the City Attorney (when furnished with a copy of a resolution of the Planning Commission approving the closing portions of Baker Street) to sign for and on behalf of The City of San Diego a disclaimer in an action brought in the Superior Court of the State of California in and for the County of San Diego and numbered 170861 in the files of said court; in connection with the final map of Clairemont Unit No. 5, which map will be superimposed upon the portions of the street in said action sought to be vacated; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

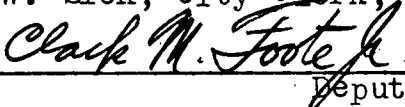
There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 12:05 o'clock P.M., on motion of Councilman Kerrigan, seconded by Councilman Wincote.


Mayor of The City of San Diego, California.

ATTEST:

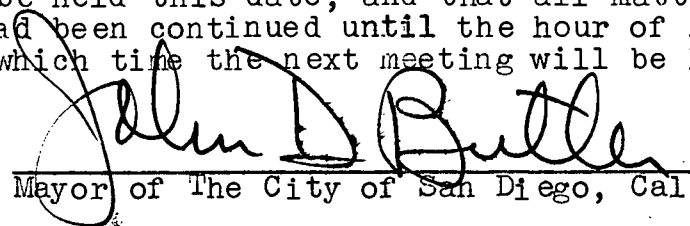
FRED W. SICK, City Clerk,

By


Deputy.

THURSDAY, FEBRUARY 14, 1952
Chamber of the Council of The City of San
Diego, California.

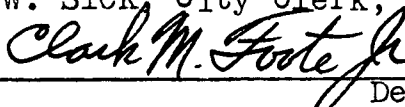
Mayor Butler appeared in the Council Chamber at the hour of 10:30 o'clock A.M. and announced that no meeting would be held this date, and that all matters which would have been considered at this time had been continued until the hour of 10:00 o'clock A.M. of Tuesday, February 19th, 1952, at which time the next meeting will be held.


Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By


Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, February 19th, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:05 o'clock A.M.

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

The Minutes of the Regular Meetings of Wednesday, February 13th, 1952, and of Thursday, February 14th, 1952, were presented to the Council by the Clerk. On motion of Councilman Dail, seconded by Councilman Swan, said Minutes were approved without reading, after which they were signed by the Mayor.

At this time Mayor Butler awarded Service Emblems to:
Ben Anello, Groundsman, Division of Parks, Park and Recreation Department, 25-year button;
Wm. F. Bishop, Street Tree Supervisor, Division of Street Trees, Park and Recreation Department, 20-year button;
H. R. Klein, Fire Captain, Fire Department, 20-year button;
Paul Beermann, Hydraulic Engineer and Acting Director of Water Department, 25-year button.

The hour of 10:00 o'clock A.M. having arrived, the time set for the receiving of bids for the construction of the University Heights North Reservoir, located between Oregon Street and Idaho Street, south of El Cajon Boulevard, under specifications and plans contained in Document No. 443481; the Clerk reported that four bids had been received, which bids were presented to the Council. This was a City cash job.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of M. H. Golden Construction Company, accompanied by a bond from the Pacific Indemnity Company, in the sum of 10% of the amount bid; which bid was given Document No. 444951;

The bid of The Contracting Engineers Co., accompanied by a bond from the Pacific Indemnity Company, in the sum of Ten Percent of the Accompanying Bid; which bid was given Document No. 444952;

At this time Councilman Godfrey entered, and took his place on the Council.

The bid of L. C. Anderson Co., accompanied by a bond from the Saint Paul Indemnity Company in the sum of 10% of Amount Bid; which bid was given Document NO. 444953;

The bid of Guy F. Atkinson Company, accompanied by a bond from the Fidelity and Deposit Company of Maryland; which bid bond was in the sum of Ten Percent of the amount of the attached bid. The bid was given Document No. 444954.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Swan, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the construction of Murray Canyon Trunk Sewer, from Mission Valley Road to the City Boundary, under plans and specifications contained in Document No. 443752; a City cash job; the City Clerk reported that ten bids had been received, which bids were presented to the Council.

Thereupon, RESOLUTION NO. 105467, recorded on Microfilm Roll No. 47, directing that all proposals and bids received under said plans and specifications contained in Document No. 443752, shall be returned to the bidders unopened; further directing the Purchasing Agent to issue an Addendum "B" to Specification No. 180, for the construction of Murray Canyon Trunk Sewer, from Mission Valley Road to the City boundary; which will have the effect of cancelling Addendum "A" thereto, issued on the 8th day of February, 1952, and returning the specifications to the condition in which they were originally issued to the bidders; stating that proposals in response to said Specification No. 180, for the construction of said Murray Canyon Trunk Sewer, will be received until ten o'clock A.M. on the 4th day of March, 1952, at the office of the City Clerk, Room 356, Civic Center, San Diego, California, and that the bids will be opened in public at or after that hour in the Council Chamber, in the Civic Center Building; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted, on motion of Councilman Kerrigan, seconded by Councilman Dail.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of the Alley in Block 13, Point Loma Heights, as described in Resolution of Intention No. 104766, the Clerk reported that four bids had been received, which bids were presented to the Council.

On motion, duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of V. R. Dennis Construction Co., accompanied by a bond from the

American Surety Company of New York in the sum of \$400.00; which bid was given Document No. 444955;

The bid of T. B. Penick & Sons, accompanied by a bond from the Massachusetts Bonding and Insurance Company in the sum of \$350.00; which bid was given Document No. 444956;

The bid of John B. Henry, accompanied by a bond from the Fidelity and Casualty Company of New York in the sum of \$350.00; which bid was given Document No. 444957;

The bid of A. E. Riley, Inc., accompanied by a bond from The Fidelity and Casualty Company of New York in the sum of \$400.00; which bid was given Document No. 444958.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Dail, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Tourmaline Street, Bayard Street, Opal Street and Loring Street, as described in Resolution of Intention No. 104767, the Clerk reported that five bids had been received, which bids were presented to the Council.

On motion, duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Daley Corporation, accompanied by a bond from Glens Falls Indemnity Company in the sum of \$5500.00; which bid was given Document No. 444959;

The bid of R. E. Hazard Contracting Co., accompanied by a bond from the Pacific Indemnity Company in the sum of \$4500.00; which bid was given Document No. 444960;

The bid of V. R. Dennis Construction Co., accompanied by a bond from the American Surety Company of New York in the sum of \$5200.00; which bid was given Document No. 444961;

The bid of Cox Bros. Const. Co., accompanied by a bond from the Great American Indemnity Company in the sum of \$5000.00; which bid was given Document No. 444962;

The bid of Griffith Company, accompanied by a bond from the National Surety Corporation in the sum of \$4100.00; which bid was given Document No. 444963.

Thereupon, on motion of Councilman Swan, seconded by Councilman Dail, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 104945, for the paving and otherwise improving of Quimby Street between Willow Street and Plum Street; and a portion of Plum Street; within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 104946, for the paving and otherwise improving of Savoy Street, between La Paloma Street and Varona Street; within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Swan, seconded by Councilman Kerrigan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 104947, for the construction of sewer mains and appurtenances in 66th Street, Madera Street, Brooklyn Avenue, Wunderlin Avenue, Broadway, Bittern Street, Akins Avenue and Evelyn Street; within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from William L. Haag and Mrs. Tobie Bowen and from Elbert, Ltd.; which protests were read.

The City Engineer reported on these written protests.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Mrs. Emma P. Fisher, owner of property at 6702-4-6 Brooklyn Avenue, orally objected to any paving of streets near her property. She was assured by Councilman Dail that the proceeding under discussion did not contemplate paving work.

All interested property owners having been heard, RESOLUTION NO. 105468, recorded on Microfilm Roll No. 47, overruling and denying the protest of William L. Haag and Mrs. Tobie Bowen, filed under Document No. 444127, and the protest of Elbert, Ltd., filed under Document No. 444310, against the work of installing sewers in 66th Street, Madera Street, Brooklyn Avenue, Wunderlin Avenue, et al, as described in Resolution of Intention No. 104947; overruling and denying all other protests; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2046, made to cover the costs and expenses of the work of paving and otherwise improving of Oliver Avenue and Reed Avenue, under Resolution of Intention No. 101715, the City Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested property owners were present who wished to be heard.

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

RESOLUTION NO. 105469, recorded on Microfilm Roll No. 47, confirming and approving the Street Superintendent's Assessment No. 2046, made to cover the cost and expenses of the paving and otherwise improving of Oliver Avenue and Reed Avenue, under Resolution of Intention No. 101715; authorizing and directing said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; and to record said warrant, diagram and assessment; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2049, made to cover the costs and expenses of the work of paving and otherwise improving of 33rd Street, Beech Street and Date Street, under Resolution of Intention No. 101860, the City Clerk reported that written appeals had been received from Mrs. Virginia B. Adams, Victoria L. Streeter and from William J. and Virginia Smith; which appeals were read.

The City Engineer reported that the price accepted was 24.1% under the estimate of the cost of the work.

Thereupon, the Mayor inquired if any interested property owners were present who wished to be heard.

Mrs. Virginia B. Adams spoke, objecting to the cost of the work.

Mrs. Victoria L. Streeter claimed the telephoned estimate of cost to her lots was much less than the actual bill.

The matter of paving cost estimates was explained by City Engineer A. K. Fogg.

Mr. William Smith, a property owner in the district, asked how the assessment was levied. An explanation was given by the City Engineer to the effect that sidewalk and curbing is all charged to the frontage; work in the intersections is charged to the district area; that on paving and grading work, other than those types already mentioned, 70% of the cost is charged to the frontage and 30% to the district area. He also mentioned that the usual assessment district extends for one-half block at right angles to the line of the paving work.

Mr. Donald Frank, of 1429 Bancroft Street, owner of Lots 7, 8 and 9, Block 27, San Diego Property Union, complained relative to the drainage on Beech Street. He said the job was "incomplete". Roger Johnsen made an oral appeal.

Mr. F. B. Adams, of 1437 Bancroft Street, said his property received no benefit at all from the new paving; although his property was in the assessment district.

All interested persons having been heard, RESOLUTION NO. 105470, recorded on Microfilm Roll No. 47, overruling and denying the appeal of Mrs. Virginia B. Adams, filed under Document No. 444641; the appeal of Victoria L. Streeter, filed under Document No. 444735; the appeal of William J. Smith and Virginia Smith, filed under Document No. 444875; and the verbal appeal of Roger Johnsen; and all other appeals, written or verbal; from the Street Superintendent's Assessment No. 2049, made to cover the costs and expenses of the work of grading, paving and otherwise improving of 33rd Street, Beech Street and Date Street, under Resolution of Intention No. 101860; confirming and approving the Street Superintendent's Assessment No. 2049; authorizing and directing said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; and to record said warrant, diagram and assessment; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2050, made to cover the costs and expenses of the work of paving and otherwise improving of the Alleys in Blocks 194, 195, 196, 197, 198, 199, 200 and 201, Mission Beach, under Resolution of Intention No. 99701, the City Clerk reported that no written protests or appeals had been received.

Thereupon, the Mayor inquired if any interested property owners were present who wished to be heard.

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

RESOLUTION NO. 105471, recorded on Microfilm Roll No. 47, confirming and approving the Street Superintendent's Assessment No. 2050, made to cover the costs and expenses of the paving and otherwise improving of the Alleys in Blocks 194, 195, 196, 197, 198, 199, 200 and 201, Mission Beach, under Resolution of Intention No. 99701; authorizing and directing the said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; and to record said warrant, diagram and assessment; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2051, made to cover the costs and expenses of paving and otherwise improving of Jewell Street, between La Playa Avenue and Moorland Drive, under Resolution of Intention No. 102015, the City Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested property owners were present who wished to be heard.

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

RESOLUTION NO. 105472, recorded on Microfilm Roll No. 47, confirming and approving the Street Superintendent's Assessment No. 2051, made to cover the costs and expenses of the paving and otherwise improving of Jewell Street, between La Playa Avenue and Moorland Drive, under Resolution of Intention No. 102015; authorizing and directing the said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; and to record said warrant, diagram and assessment; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2047, made to cover the costs and expenses of the work of paving and otherwise improving the Alleys in Block 1, Ocean View, and Block 1, Sunset Grove; and Brighton Avenue, under Resolution of Intention No. 102544, the City Clerk reported that written appeals had been received from Armand J. Calchina, Leonard M. Poor and Mrs. Leonard M. Poor and from Mr. and Mrs. E. C. Hicks; which appeals were read.

The City Engineer stated these appeals represented 11.1% of the property in the assessment district. The Mayor inquired if any property owners wished to be heard. Mrs. E. C. Hicks appealed orally from the cost of the work.

The City Engineer furnished information as to the number of bids, and the estimate of cost, as compared with the low bid. He stated the bid accepted was 3% above the estimated cost.

Mr. Armand J. Calchina protested orally, stating that the levy was too high for the amount of work done.

All interested persons having been heard, RESOLUTION NO. 105473, recorded on Microfilm Roll No. 47, overruling and denying the appeal of Armand J. Calchina, filed under Document No. 444708; the appeal of Mr. and Mrs. Leonard M. Poor, filed under Document No. 444854; the appeal of Mr. and Mrs. E. C. Hicks, filed under Document No. 444885; overruling and denying all other appeals, written or verbal; from the Street Superintendent's Assessment No. 2047, made to cover the costs and expenses of the work of paving and otherwise improving the Alleys in Block 1, Ocean View, and Block 1, Sunset Grove, and Brighton Avenue, under Resolution of Intention No. 102544; confirming and approving the Street Superintendent's Assessment No. 2047; authorizing and directing said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; and to record said warrant, diagram and assessment; was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2048, made to cover the costs and expenses of paving and otherwise improving 51st Street, between Orange Avenue and Polk Avenue, under Resolution of Intention No. 101047, the City Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested property owners were present who wished to be heard.

A gentleman living at 5094 Trojan Avenue, spoke about poor drainage in the Alley near the intersection of Trojan Avenue and 51st Street.

As this was a different part of town from the proceeding under discussion, the Mayor ruled that his remarks did not constitute an appeal.

All interested persons having been heard, RESOLUTION NO. 105474, recorded on Microfilm Roll No. 47, confirming and approving the Street Superintendent's Assessment No. 2048, made to cover the cost and expenses of the paving and otherwise improving of 51st Street, between Orange Avenue and Polk Avenue, under Resolution of Intention No. 101047; authorizing and directing the said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; and to record said warrant, diagram and assessment; was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105087, for the paving and otherwise improving of the Alleys in Blocks 2 and 27, Ocean Beach, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, Resolution No. 105475, recorded on Microfilm Roll No. 47, determining that the proposed improvement of paving and otherwise improving of the Alleys in Blocks 2 and 27, Ocean Beach, within the limits and as particularly described in Resolution No. 105087, of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105088, for the paving and otherwise improving of E Street, between the westerly line of 30th Street and a line parallel to and distant 270.00 feet westerly from the westerly line of 30th Street; within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, RESOLUTION NO. 105476, recorded on Microfilm Roll No. 47, determining that the proposed improvement of paving and otherwise improving of E Street, between the westerly line of 30th Street and a line parallel to and distant 270.0 feet westerly from the westerly line of 30th Street, within the limits and as particularly described in Resolution No. 105088, of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

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

on Resolution No. 105089 of Preliminary Determination, for the paving and otherwise improving of 51st Street, between the northerly line of Trojan Avenue and the southerly line of El Cajon Boulevard; and the Alley in Block 42, Tract 1368; within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

A Mr. Fryberg, living at 5094 Trojan Avenue, spoke at this time. He mentioned poor drainage conditions in the north and south Alley through his Block. He stated a 50% frontage petition had been secured for paving Trojan Avenue, near 51st Street; and inquired if the Council could honor this petition, and start new paving proceedings. Councilmen suggested he secure more signatures, as 60% frontage was the present minimum petition for paving. Mr. Fryberg stressed the muddy streets, etc., as calling for paving work.

The Mayor ruled that as there were no objections to the proceeding under consideration, i.e. 51st Street, between the northerly line of Trojan Avenue and the southerly line of El Cajon Boulevard; et al., no written protests had been filed.

Thereupon, RESOLUTION NO. 105477, recorded on Microfilm Roll No. 47, determining that the proposed improvement of paving and otherwise improving of 51st Street, between the northerly line of Trojan Avenue and the southerly line of El Cajon Boulevard; and the Alley in Block 42, Tract 1368; within the limits and as particularly described in Resolution No. 105089, of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment; also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 105090 of Preliminary Determination, for paving and otherwise improving of Locust Street, between Garrison Street and Keats Street; within the limits and as particularly described in said Resolution, the Clerk reported that a written protest had been received, contained in Document No. 444780; which protest was read.

The City Engineer stated that after deducting the property represented in the protest, it still leaves a 67% petition for said work and improvement.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Mr. L. E. Day, of 1617 Locust Street, inquired about the area of the assessment district. His questions were answered by the City Engineer. Mr. Day stated he favored the work.

All interested property owners having been heard, RESOLUTION NO. 105478, recorded on Microfilm Roll No. 47, overruling the written protest of John Farinha and Virginia Farinha, filed under Document No. 444780; and determining that the proposed improvement of paving and otherwise improving Locust Street, between Garrison Street and Keats Street; within the limits and as particularly described in Resolution No. 105090 of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment; also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lamps located in Eighth Avenue Lighting District No. 1, for a period of one year from and including January 1st, 1952, the Clerk reported that no written protests had been received. No one appeared to be heard.

RESOLUTION NO. 105479, recorded on Microfilm Roll No. 47, confirming and adopting as a whole the City Engineer's Report and Assessment for Eighth Avenue Lighting District No. 1, filed in the office of the City Clerk January 11th, 1952, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lamps located in La Jolla Lighting District No. 1, for a period of one year from and including January 1, 1952, the Clerk reported that no written protests had been received. No one appeared to be heard.

RESOLUTION NO. 105480, recorded on Microfilm Roll No. 47, confirming and adopting as a whole the City Engineer's Report and Assessment for La Jolla Lighting District No. 1, filed in the office of the City Clerk January 11th, 1952, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lamps located in Seventh Avenue Lighting District No. 1, for a period of one year from and including January 1, 1952, the Clerk reported that no written protests had been received. No one appeared to be heard.

RESOLUTION NO. 105481, recorded on Microfilm Roll No. 47, confirming and approving as a whole the City Engineer's Report and Assessment for Seventh Avenue Lighting District No. 1, filed in the office of the City Clerk January 11th, 1952, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Claim of Patrick J. Murphy, 4423 Brighton Avenue, in the amount of \$108.05, for damage to a 1948 Chevrolet 3/4 ton pickup truck, caused by an open manhole, was presented.

RESOLUTION NO. 105482, recorded on Microfilm Roll No. 47, referring the claim of Patrick J. Murphy to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Claim of The Pacific Telephone and Telegraph Company, amended, in the amount of \$82.28, based on damage to property in the passenger terminal at Lindbergh Field, was presented.

RESOLUTION NO. 105483, recorded on Microfilm Roll No. 47, referring the amended claim of The Pacific Telephone and Telegraph Company, contained in Document No. 444749 to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Claim of F. A. Russell, in the amount of \$14.18, based on damage to his automobile by a City street sweeper, was presented.

RESOLUTION NO. 105484, recorded on Microfilm Roll No. 47, referring the claim of F. A. Russell, contained in Document No. 444815, to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Claim of Studebaker Broadcasting Company, Inc. for \$1,981.00, based on damage to a radio transmission line and appurtenances, was presented.

RESOLUTION NO. 105485, recorded on Microfilm Roll No. 47, referring the claim of Studebaker Broadcasting Company, Inc. contained in Document No. 444823 to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Claim of Millicent Webster, in the amount of \$56.00, based on damage to an automobile by city painters while painting certain parking meters and/or light standards adjacent to said vehicle, was presented.

RESOLUTION NO. 105486, recorded on Microfilm Roll No. 47, referring the claim of Millicent Webster, contained in Document No. 444714, to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Claim of Jack Wilson, 2001 South Figuero Street, Los Angeles, California, based on automobile collision with a City automobile, in the amount of \$14.56, was presented.

RESOLUTION NO. 105487, recorded on Microfilm Roll No. 47, referring the claim of Jack Wilson, contained in Document No. 444810, to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Claim of Mrs. Dorothy Wolicki, in an estimated amount of \$130.00, based on damage to her automobile when it came in contact with a City fire plug, was presented.

RESOLUTION NO. 105488, recorded on Microfilm Roll No. 47, referring the claim of Mrs. Dorothy Wolicki, contained in Document No. 444713, to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids received for construction of a pelletizing system at the Sewage Treatment Plant; recommending award to A. E. Poulsen & Company, the lowest of two bidders, was presented.

RESOLUTION NO. 105489, recorded on Microfilm Roll No. 47, accepting the bid of A. E. Poulsen & Company of Los Angeles, for construction of a Pelletizing System at the Sewage Treatment Plant for the City of San Diego, for the sum of \$36,455.00; awarding the contract therefor and authorizing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids received for installation of pipe on the new Morena Bridge over the Floodway Channel and in the approaches thereto, etc., recommending award to Walter H. Barber, the lowest of three bidders, was presented.

RESOLUTION NO. 105490, recorded on Microfilm Roll No. 47, accepting the bid of Walter H. Barber for the installation of about 1,030 feet of mechanical jointed 16" cast iron pipe on the new Morena Bridge over the Floodway Channel, and about 460 feet of 16" B & S cast iron pipe in the approaches thereto; the removal of about 420 feet of 16" B & S cast iron pipe line from the old Morena Bridge near Old Town and about 1,020 feet of 16" B & S cast iron pipe from the north approach thereto; and the hauling of all removed pipe, fittings and appurtenances to the City storage yard at Chollas Station, for The City of San Diego, for the sum of \$14,801.00; awarding the contract therefor and instructing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids received for removal of 181 existing posts and replacement of same with redwood posts furnished by the City; recommending award to Jim C. Slaughter, the lowest of six bidders, was presented.

RESOLUTION NO. 105491, recorded on Microfilm Roll No. 47, accepting the bid of Jim C. Slaughter for replacement of posts at Point Loma Reservoir, consisting of the removal of 181 existing posts and replacement of same with redwood posts furnished by the City, for the City of San Diego, for the sum of \$5995.00; awarding the contract therefor and instructing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids received for furnishing and installing traffic signals and safety lights at various locations; recommending award to Ets-Hokin & Galvan, the lowest of three bidders, was presented.

RESOLUTION NO. 105492, recorded on Microfilm Roll No. 47, accepting the bid of Ets-Hokin & Galvan to furnish and install traffic signals and safety lighting, at 30th and C Streets, 16th and C Streets, 18th and B Streets, 12th and B Streets, and 8th and Broadway, for the sum of \$29,915.00; awarding the contract therefor and instructing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

At this time, by unanimous consent, the matter of Gamma Street Drainage, near Dalbergia Street, was discussed.

Mr. Edward Reese, of 2136 Gamma Street, spoke relative to the filled-up drainage ditches. He stated that the Gamma and Dalbergia Streets intersection is dammed up, and that Dalbergia Street has never been graded.

After further discussion, RESOLUTION NO. 105493, recorded on Microfilm Roll No. 47, referring the matter of drainage on Gamma Street, near Dalbergia Street, to the City Manager for investigation and report, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

City Engineer A. K. Fogg stated that there were many low lots on this street, below the needed grade on Dalbergia Street.

RESOLUTION NO. 105494, recorded on Microfilm Roll No. 47, approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for furnishing and installing traffic signals and safety lighting at Mission Valley Road and Sand Rock Grade, bearing Document No. 444891; ascertaining and declaring the wage scale to be paid in connection with said work and improvement; authorizing and directing the Purchasing Agent to proceed to publish in accordance with law, notice to contractors calling for bids for the work hereinabove described, in accordance with the plans and specifications hereinabove referred to; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105495, recorded on Microfilm Roll No. 47, authorizing and directing the Purchasing Agent to advertise for sale and to sell the following material and equipment belonging to The City of San Diego no longer desirable for use or retention by said City, to-wit: Items 1 to 57 inclusive, fully described in said Resolution; all expenses in connection with the sale to be deducted from the proceeds received from the sale thereof; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission recommending the adoption of the Final Map of Huntington Park, subject to the posting of an adequate bond to insure the installation of the required improvements; was presented.

RESOLUTION NO. 105496, recorded on Microfilm Roll No. 47, adopting the Map of Huntington Park Unit No. 1 and accepting Public Streets, portion of a Public Street and Unnamed Easements therein, and rejecting the dedication for a Public Street of the land shown thereon as "Reserved for Future Street" use, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105497, recorded on Microfilm Roll No. 47, authorizing the City Manager to execute a contract with Lee and Leschorn, Inc. a corporation, for the installation and completion of the unfinished improvements and the setting of the monuments required for Huntington Park Unit No. 1; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission recommending the adoption of the final map of Clairemont Unit No. 5, subject to an adequate bond for the improvement of the streets in the subdivision, was presented.

RESOLUTION NO. 105498, recorded on Microfilm Roll No. 47, adopting the Map of Clairemont Unit No. 5 and accepting public street, alleys, walkway, and unnamed easements therein, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105499, recorded on Microfilm Roll No. 47, authorizing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Carlos Tavares, Marjorie Claire Tavares, Louis C. Burgener and Patricia W. Burgener for the installation and completion of the unfinished improvements in Clairemont Unit No. 5, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission recommending amendment to the Zoning Ordinance relative to Zones M-1 and M-2, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the communication was referred to Council Conference, by RESOLUTION NO. 105500, recorded on Microfilm Roll No. 47.

Communication from the City Engineer, approved by the City Manager, recommending granting petition for installation of ornamental street lighting system in Plumosa Manor Unit No. 2 was presented.

RESOLUTION NO. 105501, recorded on Microfilm Roll No. 47, granting the petition for the installation of an ornamental street lighting system in Plumosa Manor Unit No. 2, contained in Document NO. 444313; directing the City Engineer to submit a plat of the assessment district; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, approved by the City Manager, recommending amending the proceedings for paving Denver Street, Erie Street and Frankfort Street, was presented. The amendment was to include sewer laterals, water services and tree removal, as required.

RESOLUTION NO. 105502, recorded on Microfilm Roll No. 47, authorizing the City Engineer to amend the proceedings for the improvement of Denver Street, Erie Street and Frankfort Street, in accordance with his recommendation contained in Document No. 444733, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Engineer, approved by the City Manager, recommending amending the proceedings for paving El Carmel Place between Ocean Front Walk and Bayside Walk, to include an extension in the limits of the work to the center line of Ocean Front Walk, was presented.

RESOLUTION NO. 105503, recorded on Microfilm Roll No. 47, authorizing the City Engineer to amend the proceedings for the improvement of El Carmel Place, between Ocean Front Walk and Bayside Walk, in accordance with his recommendation contained in Document No. 444732, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, approved by the City Manager, recommending amending proceedings for paving San Elijo Street, between Nichols Street and Jenkins Street, to include the installation of a sewer main, gutter, concrete encasement and removal of trees as required, was presented.

RESOLUTION NO. 105504, recorded on Microfilm Roll No. 47, authorizing the City Engineer to amend the proceedings for the improvement of San Elijo Street, between Nichols Street and Jenkins Street, in accordance with his recommendation contained in Document No. 444731, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Engineer, approved by the City Manager, recommending amending proceedings for the paving of Wawona Street (Drive), to include the improvement of Wawona Drive, between the center line of Chatsworth Boulevard and Capistrano Street, and that the improvement consist of grading, paving, surfacing gutters and installing water services and sewer laterals, as required, was presented.

RESOLUTION NO. 105505, recorded on Microfilm Roll No. 47, authorizing the City Engineer to amend the proceedings for the improvement of Wawona Drive, between Chatsworth Boulevard and Capistrano Street, in accordance with his recommendation, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Engineer, approved by the City Manager, recommending Change of Grade Proceedings on portions of Sherman Street and Morena Boulevard, was presented.

RESOLUTION NO. 105506, recorded on Microfilm Roll No. 47, adopting the recommendation of the City Engineer, filed under Document No. 444895, for the change of grades on Sherman Street, between its easterly termination at Morena Boulevard and its southwesterly termination at Morgan Street and Anna Avenue; and Morena Boulevard, between the southeasterly line of Cushman Avenue and the northwesterly line of Linda Vista Road; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Street Superintendent, approved by the City Manager, recommending the closing of 54th Street, south of Montezuma Road; Goodland Road west of 54th Street; and 55th Street, between Lots 5 and 12 of Marcellena Tract, was presented.

RESOLUTION NO. 105507, recorded on Microfilm Roll No. 47, adopting the recommendation of the Street Superintendent filed under Document No. 444896, for the closing of portions of 54th Street, Goodland Road and 55th Street; directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing; was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, approved by the City Manager, recommending the closing of Quince Street and Thorn Street, from the southwesterly line of California Street to the Mean High Tide Line, was presented.

RESOLUTION NO. 105508, recorded on Microfilm Roll No. 47, granting the petition for the closing of Quince Street and Thorn Street, between the southwesterly line of California Street and the Mean High Tide Line, contained in Document No. 439118; directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the City of Albany requesting a protest by the City Council of San Diego against the ever-increasing price of Milk was presented and on motion of Councilman Dail, seconded by Councilman Kerrigan, ordered filed.

Communication from Philip L. Gildred favoring the establishment of a Rose Garden in Balboa Park was presented and on motion of Councilman Dail, seconded by Councilman Kerrigan, ordered filed.

Communication from the San Diego-California Club requesting a 1952-1953 budget item of \$30,000 to promote tourist travel to the San Diego area, etc., was presented.

RESOLUTION NO. 105509, recorded on Microfilm Roll No. 47, referring to Council Conference the communication from San Diego-California Club, filed under Document No. 444736, requesting a 1952-1953 budget item of \$30,000.00 to promote tourist travel to the San Diego area, etc., was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the San Diego Public Safety Committee favoring one-way traffic in the Central Traffic District was presented and on motion of Councilman Wincote, seconded by Councilman Swan, ordered filed.

Communication from the Pacific Indemnity Company recommending denial of the claim of the E. R. Bland Company was presented.

RESOLUTION NO. 105510, recorded on Microfilm Roll No. 47, denying the claim of E. R. Bland Company, filed under Document No. 440013, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from the Pacific Indemnity Company, recommending denial of the claim of Shirley J. Hilt was presented.

RESOLUTION NO. 105511, recorded on Microfilm Roll No. 47, denying the claim of Shirley J. Hilt, filed by Associated Veterans Insurance Company, under Document No. 442597, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from the Pacific Indemnity Company recommending denial of the claim of Louis Talamo was presented.

RESOLUTION NO. 105512, recorded on Microfilm Roll No. 47, denying the claim of Louis Talamo, filed under Document No. 441538, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105513, recorded on Microfilm Roll No. 47, accepting the deed of Harry M. Baugh and Etheleen Baugh, executed in favor of The City of San Diego, conveying an easement and right of way-street purposes, through, along and across a portion of Pueblo Lot 1774 of the Pueblo Lands of San Diego; setting aside and dedicating the lands therein conveyed to the public use as and for a public street; and naming the same La Jolla Scenic Drive; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this Resolution; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105514, recorded on Microfilm Roll No. 47, accepting the deed of Lena Kendall, conveying to the City an easement and right of way for sewer purposes through, along and across portions of Acre Lot 73 of Pacific Beach, according to Map thereof No. 854; authorizing and instructing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105515, recorded on Microfilm Roll No. 47, accepting the quitclaim deed of Victory Packing Company, quitclaiming to the City portions of Lot "B", Pueblo Lot 285 of the Pueblo Lands of the City of San Diego, according to Map thereof made by James Pascoe; and according to Partition of said Pueblo Lot 285 in action No. 5620 in the Superior Court of said County, entitled "Steele vs. Steele"; authorizing and directing the City Clerk to transmit the said quitclaim deed, together with a certified copy of this resolution, to the City Properties Department, for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105516, recorded on Microfilm Roll No. 47, directing notice of filing of assessment and of the time and place of hearing thereof, for paving and otherwise improving the Alley in Block 245, Mission Beach and Mission Boulevard, under Resolution of Intention No. 101110, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105517, recorded on Microfilm Roll No. 47, approving the plans, specifications, etc., and approving the plat No. 2280, showing the exterior boundaries of the assessment district for paving and otherwise improving the Alley in Block 19, Ocean Beach, between the northwesterly line of Froude Street and the southeasterly line of Ebers Street, and Public Rights of Way in Lots 3 and 4, Block 19, Ocean Beach; said plans being contained in Document No. 444670; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105518, recorded on Microfilm Roll No. 47, approving the plans, specifications, etc. for paving and otherwise improving of A Street, between 17th Street and 18th Street, contained in Document No. 444668; approving Plat No. 2321, showing the exterior boundaries of the district to be included in the assessment for said work and improvement; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105519, recorded on Microfilm Roll No. 47, approving the plans and specifications, etc., for paving and otherwise improving of Archer Street, between the westerly line of Buena Vista Tract and the easterly line of Monte Villa Tract; Van Nuys Street, between the westerly line of Buena Vista Tract and the easterly

line of Monte Villa Tract; Cass Street, between the southerly line of Van Nuys Street and a line parallel to and distant 140.00 feet southerly from said southerly line; Agate Street, between the westerly line of Pacific Beach Vista Tract and the westerly line of Dawes Street; Dawes Street, between the easterly prolongation of the northerly line of Turquoise Street and the southerly line of Archer Street and the easterly 20.00 feet of the Alley in Lot 2, Map of Pueblo Lot 1783, lying westerly of and contiguous to the easterly line of said lot 2, et al., as contained in Document No. 444666; approving Plat No. 2303, showing the exterior boundaries of the district to be included in the assessment for said work and improvement; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105520, recorded on Microfilm Roll No. 47, approving the plans and specifications for the installation of sewer mains in Sherman Street, Houston Street, Kurtz Street and Public Rights of Way, within the limits and as particularly described in said Resolution, as contained in Document No. 444672; approving Plat No. 2304, showing the exterior boundaries of the district to be included in the assessment for the improvement of said streets, alley and public rights of way; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 105521, recorded on Microfilm Roll No. 47, awarding to Daley Corporation the contract for paving and otherwise improving of Ninth Avenue, between Johnson Avenue and a line 290.00 feet northerly from the north line of Johnson Avenue, as described in Resolution of Intention No. 104664, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 105522, recorded on Microfilm Roll No. 47, awarding to Daley Corporation the contract for paving and otherwise improving of Thomas Avenue, between Gresham Street and Jewell Street; and Reed Avenue, between Ingraham Street and Jewell Street; as described in Resolution of Intention No. 104665, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 105523, recorded on Microfilm Roll No. 47, awarding to the San Diego Gas & Electric Company the contract for furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 1, for the period of one year from and including December 1, 1951, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 105524, recorded on Microfilm Roll No. 47, awarding to the San Diego Gas & Electric Company the contract for furnishing of electric current for the lighting of the ornamental street lights located in Logan Avenue Lighting District No. 1, for the period of one year from and including November 16, 1951, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 105525, recorded on Microfilm Roll No. 47, awarding to the San Diego Gas & Electric Company the contract for furnishing of electric current for the lighting of the ornamental street lights located in Montemar Lighting District No. 1, for the period of one year from and including December 16, 1951, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 105526, recorded on Microfilm Roll No. 47, awarding to the San Diego Gas & Electric Company the contract for furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District No. 1, for the period of one year from and including November 5, 1951, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105527, recorded on Microfilm Roll No. 47, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located on or along streets in Sunset Cliffs Lighting District No. 1, for a period of one year from and including January 15, 1952, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105528, recorded on Microfilm Roll No. 47, for paving and otherwise improving the Alley in Block 19, Ocean Beach; and Public Rights of Way in Lots 3 and 4, Block 19, Ocean Beach; within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105529, recorded on Microfilm Roll No. 47, for paving and otherwise improving a portion of A Street, between 17th Street and 18th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105530, recorded on Microfilm Roll No. 47, for paving and otherwise improving of Archer Street, Van Nuys Street, Cass Street, Agate Street, Dawes Street and Alley in Lot 2, Map of Pueblo Lot 1783; within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105531, recorded on Microfilm Roll No. 47, for the construction of vitrified clay pipe sewer main and connections and appurtenances in Sherman Street, Alley in Block 2, Subdivision of Pueblo Lot 227, Houston Street, Kurtz Street and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

A proposed Resolution authorizing the City Manager to sign certificate of ownership in connection with the Final Map of Linda Vista Units 1 and 2, was presented.

RESOLUTION NO. 105532, recorded on Microfilm Roll No. 47, referring to Council Conference the matter of executing certificate of ownership on the final map of Linda Vista Unit No. 1, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105533, recorded on Microfilm Roll No. 47, determining and declaring that the public interest, convenience and necessity of the City of San Diego require the construction, operation and maintenance of a public street, to be known as Missouri Street, across a portion of Acre Lot 48 of Pacific Beach; and that the public interest, convenience and necessity demand the acquisition of an easement and right of way through, along and across the land to be used by said City for construction of said public street within the area aforesaid; and declaring the intention of the City of San Diego to acquire said easement and right of way under Eminent Domain Proceedings; and directing the City Attorney of The City of San Diego to commence an action in the Superior Court of the County of San Diego, State of California, for the purpose of condemning said land and acquiring said easement and right of way, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105534, recorded on Microfilm Roll No. 47, declaring Mc Gonigle Road, for its entire length, between Pacific Highway and Sorrento Valley Road, to be a one-way street, for northeasterlybound traffic only; authorizing the installation of the necessary signs and markings; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105535, recorded on Microfilm Roll No. 47, authorizing and directing the Property Supervisor of The City of San Diego to advertise for the sale at public auction of portions of Lot 3, in Block 380 of Old San Diego; also a portion of Lot 2, Block 380, of Old San Diego, according to Map thereof made by James Pascoe in 1870; said land being no longer needed for City purposes; the appraisal on said land being \$300.00 and the minimum amount which the Council will consider for the sale of said property being \$300.00; reserving the right to reject any and all bids at the said public auction; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105536, recorded on Microfilm Roll No. 47, setting a hearing for the 28th day of February, 1952, at 10:00 A.M. at the Council Chamber, in the City and County Administration Building, Civic Center, San Diego, California, at which hearing the owner will have an opportunity to be heard by this Council, as to why the structure on Lot 3, Block 455, Old Town, at the westerly end of the 3900 Block, on Twiggs Street, should not be demolished, and stating that if protests are overruled by a majority vote of the Council, said Council will direct that said structure be demolished, and the cost of the work shall be a lien on the the said Lot 3, Block 455, Old Town; etc.; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105537, recorded on Microfilm Roll No. 47, authorizing the City Manager to execute a First Amendment to Second Supplemental Agreement for Aerial Survey with Fairchild Aerial Surveys, Inc., whereby for the sum of \$6,853.00 said Fairchild Aerial Surveys, Inc., will include in the areas to be mapped, pursuant to Second Supplemental Agreement, six additional map sections, viz. : C-11, C-12, D-13, D-14, D-15 and D-16, all in accordance with the form of agreement heretofore filed as Document No. 445005, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105538, recorded on Microfilm Roll No. 47, authorizing the City Manager to enter into a lease with Daley Corporation for the leasing of City-owned land in Rosedale Subdivision lying east of Montgomery Field, at an annual rental of \$150.00 per year, for a period of five years, upon terms and conditions set out in lease filed as Document No. 445007; which said real property has a value of \$65,250.00; etc., was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105539, recorded on Microfilm Roll No. 47, authorizing the City Manager to execute, for and on behalf of The City of San Diego, a Concession Agreement with George Stanley Gatewood, for provision of custodial and janitorial services within the municipal golf course clubhouse in return for the right of the concessionaire to charge and receive a reasonable sum for the rent of the lockers, under the terms and conditions set forth in Concession Agreement, a copy of which is filed as Document No. 445008, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105540, recorded on Microfilm Roll No. 47, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations in the City:

Beverly Street at Geneva Avenue;
 Beverly Street at Roswell Street;
 Creston Drive at angle south of Roswell Street;
 Derby Street at Geneva Avenue;
 Hanover Street at Geneva Avenue;
 Hanover Street at Roswell Street;
 Hilltop Drive at Roswell Street;
 Selma Place at Creston Drive;
 Winston Drive at Roswell Street; and
 51st Street at Roswell Street.

RESOLUTION NO. 105541, recorded on Microfilm Roll No. 47, granting permission to David G. Fleet, 3653 Voltaire Street, to remove 18 feet of curb at the dead end of Milan Street, west of Warrington Street, adjacent to Lot 15, Purpus Park, and to install an 18-foot driveway at said location, to provide access to a two-car garage; subject to compliance with all rules, regulations and ordinances of the City governing same; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105542, recorded on Microfilm Roll No. 47, granting permission to Mrs. Madeline M. O'Donogue to install a four-inch cast iron sewer line between the property line and the sidewalk, said sewer line to be placed 1.0 foot outside of the property line and to run in a southerly direction, parallel to the westerly line of Lot 106, Congress Heights, to point of intersection with the public sewer; said proposed sewer to serve property at 1610 Los Altos Road; subject to conditions set forth in said Resolution; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105543, recorded on Microfilm Roll No. 47, granting permission to H. E. McNeil, 4017 - 42nd Street, San Diego, to install Bell and Spigot Clay Pipe with hot poured joints, instead of clay pipe with mechanical joints, in connection with the extension of the sewer system for "The El Rey Trailer Plaza," at 303 - 47th Street; subject to conditions set forth in said resolution; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105544, recorded on Microfilm Roll No. 47, approving Change Order No. 1, filed as Document No. 444912, issued in connection with the contract with E. Paul Ford, Jr. for the improvement of Wabaska Drive, from West Point Loma Boulevard southerly for approximately 1600 feet; and which said contract is contained in Document No. 443827; the changes therein set forth, amounting to an increase in the contract price of approximately \$306.00; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105545, recorded on Microfilm Roll No. 47, approving the request of Griffith Company, contained in Change Order No. 1, for an extension of 30 days, to-wit, to and including February 1, 1952, filed as Document No. 444914, in which to complete its contract for the widening of Fairmount Avenue; which said contract is contained in Document No. 441231; and extending the time for completion under said contract to February 1, 1952; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105546, recorded on Microfilm Roll No. 47, approving Change Order No. 1, filed under Document No. 444916, issued in connection with the contract with Ofcco Construction Company for the reconstruction of the University Heights Pumping Plant; which said contract is contained in Document No. 442429; the changes therein set forth, amounting to an increase in the contract price of \$1,093.67; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105547, recorded on Microfilm Roll No. 47, approving the request of Ofcco Construction Company, contained in Document No. 444918, for an extension of time of 60 calendar days, to-wit, to and including April 9, 1952, in which to complete its contract for the reconstruction of the University Heights Pumping Plant; contained in Document No. 442429; extending the time of the completion of said contract to April 9, 1952; waiving the provisions of the specifications for said work with respect to liquidated damages; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105548, recorded on Microfilm Roll No. 47, approving the request of Charles J. Dorfman, as contained in Document No. 444920, for an extension of time of 90 calendar days, to-wit: to and including April 17, 1952, in which to complete his contract for the installation of College Avenue 16-inch cast iron pipe line, from Estelle Street to University Avenue; which contract is contained in Document No. 441265; extending the time of completion under said contract to April 17, 1952; waiving the provisions of the specifications for said work with respect to liquidated damages; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105549, recorded on Microfilm Roll No. 47, approving Change Order No. 2, filed as document No. 444922, issued in connection with the contract between The City of San Diego and Ofcco Construction Company for the reconstruction of the University Heights Pumping Plant; which said contract is contained in Document No. 442429; the changes therein set forth, amounting to an increase in the contract price of \$146.85; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105550, recorded on Microfilm Roll No. 47, authorizing the Mayor and City Clerk to execute, for and on behalf of and as the act and deed of The City of San Diego, a grant deed, conveying to the State of California, a corporation sovereign, portions of Pueblo Lot 1203 of the Pueblo Lands of San Diego; directing the City Clerk to deliver said deed to the Property Supervisor of said City with instructions that the same be delivered to the State of California; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

recorded on Microfilm Roll No. 47,
RESOLUTION NO. 105551, accepting the deed of dedication, executed by The United States of America, Housing Administration, dedicating and donating for a public use to The City of San Diego, a ten-inch vitrified clay pipe sewer main and four man-holes serving War Housing Project No. CAL-4797 (Frontier) and lying in Kurtz and Sherman Streets (dedicated), as particularly described in said deed of dedication; authorizing the City Manager to accept said dedication for and on behalf of said City; directing the City Clerk to file the said deed, together with a certified copy of this resolution for record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105552, recorded on Microfilm Roll No. 47, directing the City Attorney to file a petition with the County Board of Supervisors of the County of San Diego, requesting that all taxes of record against property described as an undivided one-half of Lots 22 to 25, inclusive, Block "B" of Pacific View, according to Map thereof No. 1497, acquired by Final Order of Condemnation recorded at Book 4325, page 406, together with all penalties and other expenses in connection with said property, be cancelled; and that all deeds to the state for delinquent taxes on said property be cancelled; authorizing and directing the City Attorney to take whatever steps he may deem necessary otherwise to secure the cancellation of said taxes and deeds; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105553, recorded on Microfilm Roll No. 47, commending the Junior Chamber of Commerce for its painstaking efforts in the planning and production of the San Diego entry in the Tournament of Roses Parade for the past seven years, and extending the Council's appreciation on behalf of all of the citizens of The City of San Diego to the Junior Chamber of Commerce members for their imagination and skill in creating a consistently beautiful float and to congratulate them for bringing back to our City the President's Trophy for the past two years; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

A proposed Ordinance Incorporating Lots 10 to 12, Block 5, Lots 7 to 12, Block 6; all of Block 11; Lots 1 to 3 and 10 to 12, Block 12; Lots 1 to 3, Block 13 and Lots 1 to 6, Block 14, Bayview Homestead, into "C" Zone, as defined by Section 101.0411 of the Municipal Code of The City of San Diego, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, a hearing to consider the terms and provisions of this proposed Ordinance was set for Tuesday, March 4th, 1952, at the hour of 10:00 o'clock A.M.

A proposed Ordinance Incorporating Lots 1, 2 and 3, Euclid Manor; Lots 63, 64, 76, 77, 78, and 80 and portions of Lots 44, 75 and 79 in Las Alturas Villa Sites, into "R-1" Zone as defined by Section 101.0405 of The Municipal Code of The City of San Diego, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, a hearing to consider the terms and provisions of this proposed Ordinance was set for Tuesday, March 4th, 1952, at the hour of 10:00 o'clock A.M.

A proposed Ordinance Incorporating all of Blocks D, E and F of Montecello into "R-2" Zone as defined by Section 101.0406 of The Municipal Code of The City of San Diego, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, a hearing to consider the terms and provisions of this proposed Ordinance was set for Tuesday, March 4th, 1952, at the hour of 10:00 o'clock A.M.

A proposed Ordinance Incorporating Lots 1 to 10, Block 185, Pacific Beach; Lots 1 to 10 and Lots 31 to 40, Block 162, Pacific Beach, into "R-4" Zone as defined by Section 101.0408 of The Municipal Code of The City of San Diego, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, a hearing to consider the terms and provisions of this proposed Ordinance was set for Tuesday, March 4th, 1952, at the hour of 10:00 o'clock A.M.

A proposed Ordinance Incorporating a portion of Pueblo Lot 197, San Diego, California, into "R-2" Zone, as defined by Section 101.0406 of The Municipal Code of The City of San Diego, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, a hearing to consider the terms and provisions of this proposed Ordinance was set for Tuesday, March 4th, 1952, at the hour of 10:00 o'clock A.M.

A proposed Ordinance Incorporating Lots 13 and 14, Block I, and Lots 17 and 18, Block H, Redland Gardens Extension; Lot 29, Collwood Unit No. 1; portion of Lot 13, Redland Tract, into "R-1" Zone as defined by Section 101.0405 of The Municipal Code of The City of San Diego, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, a hearing to consider the terms and provisions of this proposed Ordinance was set for Tuesday, March 4th, 1952, at the hour of 10:00 o'clock A.M.

A proposed Ordinance Incorporating Lots 1 to 25 inclusive, Block B, and Lots 1 to 11, inclusive, Block C, all in Wells and Lane's Tecolote Heights in The City of San Diego, into "R-2" Zone as defined by Section 101.04.06 of the Municipal Code of The City of San Diego, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, a hearing to consider the terms and provisions of this proposed Ordinance was set for Tuesday, March 4th, 1952, at the hour of 10:00 o'clock A.M.

ORDINANCE NO. 5079 (New Series), recorded on Microfilm Roll No. 47, authorizing the leasing of Pueblo Lot 1204 of the Pueblo Lands of The City of San Diego, to William Charles Johnston for agricultural purposes, at an annual rental of \$160.00 payable semi-annually for a five year period, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

ORDINANCE NO. 5080 (New Series), recorded on Microfilm Roll No. 47, transferring the Sum of \$40,000.00 from Contingency Reserve, Department 53, - Reserve for Price Increases - to the Stores Revolving Fund of The City of San Diego, was on motion of Councilman Dail, seconded by Councilman Wincote, placed on its final passage at its first reading by the following vote, to-wit: Yeas-- Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Godfrey, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

ORDINANCE NO. 5081 (New Series), recorded on Microfilm Roll No. 47, appropriating the sum of \$6,875.00 from the Unappropriated Balance of The City of San Diego, for the purpose of providing additional funds to cover the cost of a topographical survey of portions of The City of San Diego, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading by the following vote, to-wit: Yeas-- Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

RESOLUTION NO. 105554, recorded on Microfilm Roll No. 47, authorizing and directing the City Treasurer to exchange \$2,000,000 par value of 1-7/8% U. S. Certificates of Indebtedness purchased from inactive funds in the City Treasury, due April 1, 1952; for \$2,000,000 1-7/8% U. S. Certificates of Indebtedness, maturing February 15, 1953; further authorizing and directing the City Treasurer to sell all or such amount of said investments whenever additional cash is required for the purpose for which said funds were originally accumulated and placed in the Treasury of said City; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

At this time a majority of the members of the Council signed:

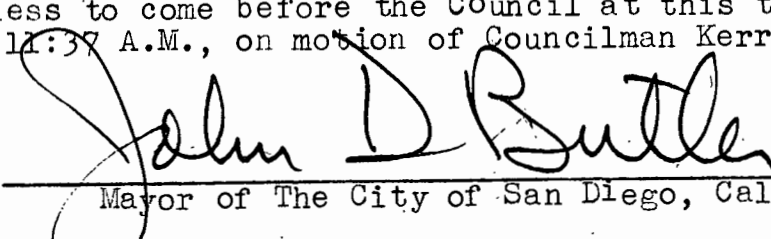
Contract with San Diego Gas & Electric Company for Midway Drive Lighting
District No. 1.
Contract with San Diego Gas & Electric Company for Adams Avenue Lighting
District No. 1.
Contract with San Diego Gas & Electric Company for Roseville Lighting
District No. 1

Communication from the City Planning Commission relative to the final map of a portion of Block J, Tecolote Heights, was presented.

RESOLUTION NO. 105555, recorded on Microfilm Roll No. 47, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Carlos Tavares, Marjorie Claire Tavares, Louis C. Burgener, Patricia W. Burgener and John F. Euston, for the installation and completion of the unfinished improvements and the setting of the monuments required for said Resubdivision of a portion of Block J, Tecolote Heights, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105556, recorded on Microfilm Roll No. 47, adopting Map of a Resubdivision of a portion of Block J, Tecolote Heights, and accepting the portions of Public Street, portion of Alley, and unnamed easements therein, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 12:37 A.M., on motion of Councilman Kerrigan, seconded by Councilman Dail.


Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk.

By 

Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, February 21st, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of The Pullman Laundry, by Attorneys Luce, Forward, Kunzel & Scripps, from the decision of the Zoning Committee granting permission to replace boiler room, provided it does not exceed the capacity of the original boiler, and that a three-foot side yard is observed, on Lots 9 through 12, and the north half of Lot 13, Block 179, University Heights, at 4065 Normal Avenue, in Zone R-4, all papers in connection with the matter were presented. The appeal from the conditions imposed was the basis of the hearing.

A report from the Senior Planning Technician was presented and read.

Glenn Rick reported orally on the matter of re-building the existing boiler; and placing a wall on the property line as petitioned for. He personally thought this was a reasonable request.

Councilman Kerrigan inquired as to the material to be used in the wall; the present wall being made of hollow tile.

Mr. J. H. Byrnes, a neighboring property owner, spoke objecting to a property line wall.

Attorney Edgar A. Luce Jr. spoke on behalf of the petitioners. He stated the plans were approved by the Building Inspector and the Fire Marshal. He said the requirement for a three-foot side yard would cause a great deal of expense in moving the present wall and boiler. He stated that practically no heat penetrated to the outside of the present wall.

Mr. Kerrigan stated he thought a reinforced concrete wall should be used instead of a hollow-tile wall.

Mr. Jack A. Landale, of the Pullman Laundry, stated he had no objections to using a reinforced concrete wall; and stated it would cost \$9700 to move the boiler three feet; plus incidental expenses.

Captain Homer C. Lovell, Fire Marshal, explained damages done by a fire earlier in the year at the Pullman Laundry. He mentioned heat test made on both sides of the wall on the property line during the first week in February. He read a copy of a report on the matter, and submitted a copy for filing. He stated the plans as prepared were satisfactory to the Fire Department.

Glenn Rick stated he had checked with Wm. S. Chamness of the City Building Department, relative to the type of wall to be used.

Mr. Wm. S. Chamness stated that an 8" reinforced concrete wall would be required.

Further discussion on this item, and another appeal of the Pullman Laundry set for February 28th, 1952, followed. Councilmen Dail, Wincote, Godfrey and Attorney Edgar A. Luce, Jr. talked over the details of rebuilding the wall with Mr. Jack A. Landale of the Pullman Laundry.

The Mayor then inquired if any protestants against the proposed work were present who wished to be heard.

Mr. Walter Felton, of 4069-1/2 Normal Street mentioned hazards to his structures from the former fire at the Pullman Laundry; the lack of space for firemen to work along the present wall, etc. He stated his building is two stories high, made of frame-stucco, with a shingle roof.

Mr. J. H. Byrnes objected to building a wall on the property line, etc.

All interested property owners having been heard, the Mayor declared the hearing closed.

Thereupon, RESOLUTION NO. 105557, recorded on Microfilm Roll No. 47, sustaining the appeal of Randcliff Haniman and Jack A. Landale, d.b.a. The Pullman Laundry, by Luce, Forward, Kunzel and Scripps, Attorneys, from the decision of the Zoning Committee in denying by its Resolution No. 6157, application No. 10267, for variance to the provisions of Ordinance No. 12988, to replace boiler room, provided it does not exceed the capacity of the original boiler, and that a three-foot side yard is observed, on Lots 9 through 12 and north 1/2 of Lot 13, Block 179, University Heights, 4065 Normal Avenue, in Zone R-4; on the provision that a four-hour fire resistant wall be constructed; and overruling the Zoning Committee decision imposing a requirement for a three-foot side yard; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted. Councilman Swan voted "Nay" on the motion.

Claim of Boldrick's Fine Shoes, based on water damage from a broken water main near 535 C Street, in the sum of \$651.18 was presented.

RESOLUTION NO. 105558, recorded on Microfilm Roll No. 47, referring the claim of Boldricks Fine Shoes, contained in Document No. 444988, to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Claim of Armando Camacho, based on damage to his parked automobile by a City police car, in the sum of \$142.50, was presented.

RESOLUTION NO. 105559, recorded on Microfilm Roll No. 47, referring the claim of Armando Camacho, contained in Document No. 444881, to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Claim of Roger J. Lenz, based on damage to house and furnishing at 4348 - 53rd Street by sewage, in the sum of \$831.14, was presented.

Resolution no. 105560, referring the claim of Roger J. Lenz, contained in Document No. 444932, to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Claim of Hotel St. James, based on damage to the hotel basement when a water meter sprang a leak at 830 Sixth Avenue, in the sum of \$22.43, was presented.

RESOLUTION NO. 105561, referring the claim of Hotel St. James, contained in Document No. 444882, to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Claim of Gertrude A. Thaler, based on personal damage caused by a fall on the sidewalk on Mission Boulevard, no precise amount stated, was presented.

RESOLUTION NO. 105562, referring the claim of Gertrude A. Thaler, contained in Document No. 444884, to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Harbor Department submitting Resolution approving Tidelands Lease with the Atwell Supply Company, was presented.

RESOLUTION NO. 105563, recorded on Microfilm Roll No. 47, approving a lease of certain tidelands with the Atwell Supply Company, for a period of three years, upon the terms and conditions contained in the form of lease, a copy of which is on file under Document No. 445119, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The City Manager made an oral report on the proposed moving of the Dog Pound, and the need for additional kennels at the present time.

RESOLUTION NO. 105564, recorded on Microfilm Roll No. 47, approving the plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the erection of a unit of nine additional kennels at the City Dog Pound, at Azusa and Gaines Streets, bearing Document No. 444991; approving the wage scale contained in said specifications; authorizing and directing the Purchasing Agent to proceed to publish in accordance with law, notice to contractors calling for bids for the work above described; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission submitting a Resolution suspending seven sections of the Subdivision Ordinance in connection with the Tentative Map of Federal Boulevard Subdivision Unit No. 3, was presented.

RESOLUTION NO. 105565, recorded on Microfilm Roll No. 47, suspending Sections 3C, 3E5, 3J6, 4A8 & 6, 5C, and 3J8 of the Subdivision Ordinance, in so far as they relate to the Tentative and the Final Maps of Federal Boulevard Subdivision Unit No. 3, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission recommending approval of the Tentative Map of Federal Boulevard Subdivision, Unit No. 3, under certain conditions, was presented.

RESOLUTION NO. 105566, recorded on Microfilm Roll No. 47, approving the Tentative Map of Federal Boulevard Subdivision, Unit No. 3, a subdivision of a portion of the southwest corner of Lot 16 of Horton's Purchase, into 66 lots, located at the southerly side of Federal Boulevard west of Euclid Avenue, subject to ten conditions fully set forth in said Resolution; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission submitting Resolution repealing Resolution No. 101466, in connection with the Tentative Map of Linda Vista Unit No. 1; and suspending ten sections of the Subdivision Ordinance in connection with said Map was presented.

Communication from the City Planning Commission submitting Resolution repealing Resolution No. 101467, in connection with the Tentative Map of Linda Vista Unit No. 1; approving said Map, subject to nine conditions, was presented.

RESOLUTION NO. 105567, recorded on Microfilm Roll No. 47, referring to Council Conference the matter regarding the suspension of ten sections of the Subdivision Ordinance and the approval of the Tentative Map of Linda Vista Unit No. 1, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Planning Commission recommending rezoning a portion of Linda Vista Unit No. 1 (Lots 2 & 3, Block 53, Pueblo Lot 1189) from R-4 to C-P Zone, was presented.

RESOLUTION NO. 105568, recorded on Microfilm Roll No. 47, granting the petition for rezoning Lots 2 and 3, Block 53, Linda Vista, from R-4 to C-P Zone, as recommended by the City Planning Commission under Document No. 445000; directing the City Attorney to prepare the necessary ordinance to effect such rezoning; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the City Planning Commission recommending denial of petition for rezoning portions of Blocks 1, 3 & 4, Las Alturas Unit No. 2, and portion of Block 8, Las Alturas No. 3, was presented.

RESOLUTION NO. 105569, recorded on Microfilm Roll No. 47, denying the petition for rezoning portions of Blocks 1, 3, 4 and 8 of Las Alturas Units Nos 2 and 3, from R-4 Zone to C Zone; as recommended by the City Planning Commission under Document No. 444994; was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission recommending denial of petition for rezoning a portion of Pueblo Lot 1199, from R-1 to M-1 Zone; lying east of Cabrillo Freeway, was presented.

RESOLUTION NO. 105570, recorded on Microfilm Roll No. 47, denying the petition for rezoning a portion of the West Half of the Southwest Quarter of Pueblo Lot 1199, lying east of Cabrillo Freeway, from R-1 Zone to M-1 Zone; as recommended by the City Planning Commission under Document No. 444993; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission reporting on the request for rezoning from R-4 to R-1 Zone of a portion of Pueblo Lot 1258, on the East side of La Jolla Boulevard, was presented.

The three to two vote of the Planning Commission was explained by Deputy City Attorney Louis M. Karp. He stated that in view of this small split vote the matter was only a report, and not a recommendation.

A Mr. Ames spoke, opposing the proposed Zone Change.

It was stated that over one hundred property owners had petitioned for the re-zoning.

The matter was discussed by individuals, Councilmen, Glenn Rick and Deputy City Attorney Karp; also by Mr. Ames.

Mr. Ames was questioned to determine if buildings under construction could be completed if the property is re-zoned.

A motion was made by Councilman Kerrigan to file the matter. This motion did not receive a second.

At this time Mayor Butler was excused from the meeting, and Councilman Kerrigan took over the chairmanship, as Mayor pro tempore.

After further discussion, on motion of Councilman Godfrey, seconded by Councilman Dail, the matter of the proposed rezoning from R-4 to R-1 Zone of a portion of Pueblo Lot 1258, on the East side of La Jolla Boulevard, was continued until the meeting of Tuesday, February 26th, 1952.

Communication from the City Planning Commission recommending a finding by the Council relative to the use by F. W. Grund of portion of Lot 7, La Jolla Park, at 7520-2-4 La Jolla Boulevard, was presented.

RESOLUTION NO. 105571, recorded on Microfilm Roll No. 47, making a finding that the use, by F. W. Grund, of the northerly 60 feet of the southerly 120 feet of Lot 7, La Jolla Park (7520-2-4 La Jolla Boulevard) for a self-service laundromat is not more objectionable, obnoxious or detrimental to the welfare of that particular community than other uses permitted in the "RC" Zone, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Postal Cards from various Merchants requesting that Architectural control, especially as it affects signs in La Jolla, be maintained, was presented.

RESOLUTION NO. 105572, recorded on Microfilm Roll No. 47, referring to Council Conference the matter of postal cards from various merchants requesting that Architectural Control, especially as it affects signs in La Jolla, be maintained; and that any necessary ordinances be passed; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Directors of the La Jolla Branch of the San Diego Chapter of the American Red Cross thanking the City Council for the use of an office in the La Jolla War Memorial Building, was presented and on motion of Councilman Wincote, seconded by Councilman Swan, ordered filed.

Communication from Robert J. McPherson requesting permission to appear before the Council on either March 4th or 6th, 1952, to discuss the matter of converting ocean water to fresh water, etc., was presented and on motion of Councilman Godfrey, seconded by Councilman Wincote, referred to the Mayor for a reply. It was the understanding that Mr. McPherson would be permitted to address the Council on one of the dates mentioned in his communication.

Communication from the San Diego Beach Company offering to deed to the Regents of the University of California all of Acre Lot 74, with the exception of the northerly 200 feet, under certain conditions, was presented. Mr. Glenn Rick explained the matter to the Council. On motion of Councilman Godfrey, seconded by Councilman Wincote, the communication was ordered filed.

Communication from the Truck & Warehouse Association of San Diego and Imperial Counties, Inc. favoring one-way street vehicular traffic plan was presented and on motion of Councilman Wincote, seconded by Councilman Swan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of C. W. Bender; case closed by cancellation; was presented.

RESOLUTION NO. 105573, recorded on Microfilm Roll No. 47, denying the claim of C. W. Bender, 835 Selma Place, filed under Document No. 436705, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Pacific Indemnity Company reporting on the claim of Chas. J. Dorfman; case closed by cancellation; was presented.

RESOLUTION NO. 105574, recorded on Microfilm Roll No. 47, denying the claim of Charles J. Dorfman, contained in Document No. 444975, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Pacific Indemnity Company reporting on the claim of Elizabeth A. Lee; case closed by cancellation; was presented.

RESOLUTION NO. 105575, recorded on Microfilm Roll No. 47, denying the claim of Elizabeth A. Lee, filed under Document No. 438021, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Pacific Indemnity Company reporting on the claim of James P. Ballow; closed by payment of \$95.23; was presented, and on motion of Councilman Godfrey, seconded by Councilman Dail, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Roger Dietz & Gust Gall; closed by payment of \$251.51; was presented, and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Nannie A. Geren; closed by payment of \$150.00; was presented, and on motion of Councilman Godfrey, seconded by Councilman Dail, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Donald W. Graham; closed by payment of \$56.96; was presented, and on motion of Councilman Godfrey, seconded by Councilman Dail, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Jacob M. Jacobs; closed by payment of \$8.50; was presented, and on motion of Councilman Godfrey, seconded by Councilman Dail, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of J. A. Koenig; closed by payment of \$20.00; was presented, and on motion of Councilman Godfrey, seconded by Councilman Dail, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Mervin Raymond; closed by payment of \$53.70; was presented, and on motion of Councilman Godfrey, seconded by Councilman Dail, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Helen L. Johnson and Oscar Johnson, husband and wife, through their attorney, Brooks Crabtree; returning the original claim for damages for the City Clerk's office as the claim has been settled; was presented, and on motion of Councilman Godfrey, seconded by Councilman Dail, ordered filed.

RESOLUTION NO. 105576, recorded on Microfilm Roll No. 47, allowing and approving the bill of San Diego City and County Convention Bureau, in the sum of \$272.50 for expenses incurred; as approved by the Advertising Control Committee; authorizing a requisition to be drawn on the Advertising and Publicity Fund of The City of San Diego for the fiscal year 1951-52 for said sum; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105577, recorded on Microfilm Roll No. 47, accepting the deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, California, executed in favor of The City of San Diego, conveying to said City Lot 3, Block 83, Campo Del Dios Unit No. 3; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105578, recorded on Microfilm Roll No. 47, accepting the quitclaim deed of W. E. Starke and Cecilia G. Starke, executed in favor of The City of San Diego, quitclaiming to said City lots 15 and 16, Block 1, Hollywood Station, according to Map thereof No. 1299; and Lots 9 to 12, Block 93, Lots 21 to 24, Block 93, Lots 13 to 15, Block 113, and Lots 24 to 26, Block 146, City Heights, according to Map 1007; authorizing and directing the City Clerk to file the said quitclaim deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105579, recorded on Microfilm Roll No. 47, accepting the deed of George Asakawa and Motoharu Asakawa, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 4, Block 353, Old San Diego, and a portion of Lot 1, Block 357, Old San Diego, according to Map thereof made by James Pascoe in 1870; setting aside and dedicating to the public use as and for a public street the land therein conveyed; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105580, recorded on Microfilm Roll No. 47, accepting the deed of Bratcher and Russo Corporation, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 6, La Mesa Colony, according to Map thereof No. 346; setting aside and dedicating the land therein conveyed to the public use as and for a public street, and the same is hereby named Acorn Street; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105581, recorded on Microfilm Roll No. 47, accepting the deed of Arthur W. Rogers and Elizabeth M. Rogers, executed in favor of The City of San Diego, conveying to said City portions of Pueblo Lot 1288 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870, filed as Miscellaneous Map No. 36; setting aside and dedicating to the public use as and for a public street the land therein conveyed; and naming the same Ardath Road; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105582, recorded on Microfilm Roll No. 47, accepting the deed of Union Carbide and Carbon Corporation, executed in favor of The City of San Diego, conveying to said City a portion of Pueblo Lot 284 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870, filed as Miscellaneous Map No. 36; setting aside and dedicating the land therein conveyed to the public use and for a public street, and naming the same Morena Boulevard; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105583, recorded on Microfilm Roll No. 47, accepting the deed of George Asakawa and Motoharu Asakawa, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes, through, along and across a portion of Lots 1, 2, 3 and 4, Block 354, Old San Diego, according to Map thereof by Charles H. Poole in 1856, filed as Miscellaneous Map No. 35; setting aside and dedicating to the public use as and for a public street the land therein conveyed, and naming the same Napa Street; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105584, recorded on Microfilm Roll No. 47, accepting the deed of Freda M. Robey, executed in favor of The City of San Diego, conveying to said City portions of Lots 14 and 15, Block 34, Lexington Park, according to Map thereof No. 1696; setting aside and dedicating to the public use as and for a public street the land therein designated as "Parcel 1"; and naming the same Poplar Street; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105585, recorded on Microfilm Roll No. 47, accepting the deed of Ray F. Akin and Laura M. Pahl, executed in favor of The City of San Diego, conveying to said City an easement and right of way for drainage purposes, through, along and across a portion of Lot 9, Block 17, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105586, recorded on Microfilm Roll No. 47, accepting the deed of James Cardone and Margaret Parkhurst, executed in favor of The City of San Diego, conveying to said City an easement and right of way for drainage purposes, through, along and across a portion of Lot 10, Block 17, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105587, recorded on Microfilm Roll No. 47, accepting the deed of J. R. Delatour and Imogene Delatour, executed in favor of The City of San Diego, conveying to said City an easement and right of way for drainage purposes through, along and across portions of Lots 12, 13, 14, 15 and 16, Block 2 of Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105588, recorded on Microfilm Roll No. 47, accepting the deed of William F. Lahey and Marguerite W. Lahey, executed in favor of The City of San Diego, conveying to said City an easement and right of way for drainage purposes, through, along and across a portion of Lot 1, Block 22, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105589, recorded on Microfilm Roll No. 47, accepting the deed of Gerald P. Ritter and Juanita M. Ritter, executed in favor of The City of San Diego, conveying to said City an easement and right of way for drainage purposes, through, along and across portions of Lots 1 and 2, Block 22, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105590, recorded on Microfilm Roll No. 47, accepting the deed of Richard J. Small and Alberta B. Small, executed in favor of The City of San Diego, conveying to said City an easement and right of way for drainage purposes through, along and across a portion of Lot 11, Block 17, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk of said City to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105591, recorded on Microfilm Roll No. 47, accepting the deed of Western Mutual Corporation, executed in favor of The City of San Diego, conveying to said City an easement and right of way for drainage purposes through, along and across a portion of Lot 15, Block 19, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105592, recorded on Microfilm Roll No. 47, accepting the deed of Western Mutual Corporation, executed in favor of The City of San Diego, conveying to said City an easement and right of way for drainage purposes, through, along and across a portion of Lot 12, Block 17, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105593, recorded on Microfilm Roll No. 47, accepting the deed of Ray F. Akin and Laura M. Pahl, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes, through, along and across a portion of Lot 9, Block 17, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105594, recorded on Microfilm Roll No. 47, accepting the deed of Western Mutual Corporation, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes, through, along and across a portion of Lot 12, Block 17, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105595, recorded on Microfilm Roll No. 47, accepting the deed of August Bohy and Myrtle Bohy, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer and drainage purposes, through, along and across a portion of Lot 21, Block 14, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105596, recorded on Microfilm Roll No. 47, accepting the deed of G. C. Trotochau and Afton M. Trotochau, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer and drainage purposes, through, along and across a portion of Lot 16, Block 14, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105597, recorded on Microfilm Roll No. 47, accepting the deed of Samuel M. Vogel and Rose C. Vogel, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer and drainage purposes, through, along and across a portion of Lot 20, Block 14, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105598, recorded on Microfilm Roll No. 47, accepting the deed of Western Mutual Corporation, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer and drainage purposes through, along and across a portion of Lot 27, Block 14, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105599, recorded on Microfilm Roll No. 47, accepting the deed of Melvin G. Williams, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer and drainage purposes, through, along and across a portion of Lot 12, Block 14, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105600, recorded on Microfilm Roll No. 47, accepting the deed of Melvin G. Williams, conveying to said City an easement and right of way for sewer and drainage purposes, through, along and across a portion of Lot 11, Block 14, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105601, recorded on Microfilm Roll No. 47, accepting the deed of Donald Gaither and Burtis Gaither, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer and storm drain purposes through, along and across a portion of Lot 23, Block 14, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the Recorder of San Diego County; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105602, recorded on Microfilm Roll No. 47, accepting the deed of Ernest L. Gipson and Constance O. Gipson, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer and storm drain purposes through, along and across a portion of Lot 2, Block 14, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the Recorder of San Diego County; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105603, recorded on Microfilm Roll No. 47, accepting the deed of Carl John Grobner and Rosana Grobner, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer and storm drain purposes through, along and across a portion of Lots 17 and 18, Block 14, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105604, recorded on Microfilm Roll No. 47, accepting the deed of Walter Weander, conveying to said City an easement and right of way for sewer and storm drain purposes through, along and across a portion of Lot 6, Block 14, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105605, recorded on Microfilm Roll No. 47, accepting the deed of Syble L. Borowiak, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 7, Block 23, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105606, recorded on Microfilm Roll No. 47, accepting the deed of William R. Breeze and Flora L. Breeze, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes, through, along and across a portion of Lot 14, Block 4, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105607, recorded on Microfilm Roll No. 47, accepting the deed of Robert Walter Fendlay, conveying to said City an easement and right of way for storm drain purposes, through, along and across a portion of Lot 3, Block 9, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105608, recorded on Microfilm Roll No. 47, accepting the deed of Martin Formanek and Louise O. Formanek, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 15, Block 6, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105609, recorded on Microfilm Roll No. 47, accepting the

deed of William D. Galbreath and Elba F. Galbreath, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 8, Block 14, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105610, recorded on Microfilm Roll No. 47, accepting the deed of Margaret M. Kindig, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes, through, along and across a portion of Lot 22, Block 2, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105611, recorded on Microfilm Roll No.47, accepting the deed of Stanley Kuta and Thelma M. Kuta, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 2, Block 9, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105612, recorded on Microfilm Roll No.47, accepting the deed of Carlyle M. Meints and Regina M. Meints, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 7, Block 4, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105613, recorded on Microfilm Roll No.47, accepting the deed of James Murray Parnell and Edla Lee Parnell, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lots 7 and 8, Block 5, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105614, recorded on Microfilm Roll No. 47, accepting the deed of John W. Roberts, LeRoy J. Kreeb and Clementine C. Kreeb, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes, through, along and across a portion of Lots 16 and 17, Block 4, of Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105615, recorded on Microfilm Roll No. 47, accepting the deed of Eleanor E. Saukko and Richard E. Saukko, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes, through, along and across a portion of Lot 4 in Block 9 of Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105616, recorded on Microfilm Roll No.47, accepting the deed of Billy Lee Seaton and Jaunita Ruth Seaton, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes, through, along and across a portion of Lot 11, Block 9, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO, 105617, recorded on Microfilm Roll No.47, accepting the deed of Charles A. Vaughn and Cleorah M. Vaughn, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lots 25 and 26, Block 14, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105618, recorded on Microfilm Roll No.47, accepting the Quitclaim Deed of San Diego Associates Incorporated, quitclaiming to The City of San Diego all watermains and appurtenant structures constructed for its intended use, located on public streets, rights of way, highways and public places, within or without the subdivision named Belleview Heights Unit No. 5, Subdivision Map No. 2670, being a portion of Lots Nos. 6, 9, 10, 11 and 13 of Waterville Heights Map No. 748 Tract; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of the County Recorder of San Diego County, California; was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

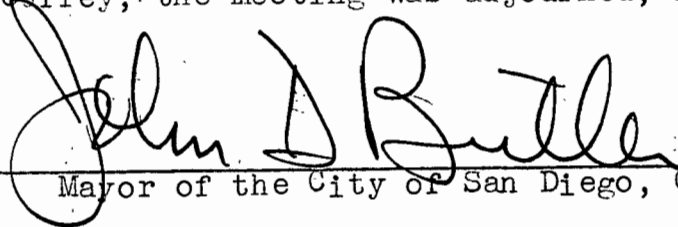
ORDINANCE NO. 5082, recorded on Microfilm Roll No. 47, New Series, authorizing the execution of a lease of a portion of Pueblo Lot 1324 of the Pueblo Lands of The City of San Diego, together with a revocable non-exclusive use and occupancy permit for the use of portions of Torrey Pines Park, with Associated Glider Clubs of Southern California, Ltd., was on motion of Councilman Wincote, seconded by Councilman Dail, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays--None. Absent--Councilman Schneider, Mayor Butler.

Thereupon, on motion of Councilman Dail, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays--None. Absent--Councilman Schneider, Mayor Butler.

A proposed Ordinance incorporating Lots 32 to 43, inclusive, and a portion of Lot 44, El Cerrito Terrace No. 2, and a portion of Lot 7, La Mesa Colony, in The City of San Diego, California, into an "R-2" Zone and "R-4" Zone, as defined by Chapter X, Article 1, Division 4 of the San Diego Municipal Code; and repealing Ordinance No. 13558, adopted July 5, 1932, insofar as the same conflicts herewith, was presented.

On motion of Councilman Wincote, seconded by Councilman Dail, a hearing to consider the terms and provisions of this proposed Ordinance was set for Thursday, March 6th, 1952, at the hour of 10:00 o'clock A.M.

There being no further business to come before the meeting, on motion of Councilman Dail, seconded by Councilman Godfrey, the meeting was adjourned, at the hour of 11:23 o'clock A.M.



Mayor of the City of San Diego, California.

(ATTEST) FRED W. SICK, City Clerk

By Clark M. Foose Jr.
Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, February 26th, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:00 o'clock A.M.

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

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the minutes of the Regular Meeting of Tuesday, February 19th, 1952, and the Regular Meeting of Thursday, February 21st, 1952, were approved without being read, after which they signed by the Mayor.

At this time Councilman Swan entered and took his place on the Council.

The hour of 10:00 o'clock AM. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2053, made to cover the costs and expenses of the work of paving and otherwise improving of Reed Avenue, between Dawes Street and Gresham Street, under Resolution of Intention No. 101050, the City Clerk reported that no written protests or appeals had been received.

Thereupon, the Mayor inquired if any interested property owners were present who wished to be heard.

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

RESOLUTION NO. 105619, recorded on Microfilm Roll No. 47, confirming and approving the Street Superintendent's Assessment No. 2053, made to cover the costs and expenses of the paving and otherwise improving of Reed Avenue, between Dawes Street and Gresham Street, under Resolution of Intention No. 101050; authorizing and directing the said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; and to record said warrant, diagram and assessment; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2052, made to cover the costs and expenses of the work of paving and otherwise improving of Fortuna Avenue, between Riviera Drive and Ingraham Street, under Resolution of Intention No. 101714, the City Clerk reported that no written protests or appeals had been received.

Thereupon, the Mayor inquired if any interested property owners were present who wished to be heard.

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

RESOLUTION NO. 105620, recorded on Microfilm Roll No. 47, confirming and approving the Street Superintendent's Assessment No. 2052, made to cover the cost and expenses of the paving and otherwise improving of Fortuna Avenue, between Riviera Drive and Ingraham Street, under Resolution of Intention No. 101714; authorizing and directing the said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; and to record said warrant, diagram and assessment; was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105255, for the paving and otherwise improving of the Alley in Block 11, La Jolla Strand, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, RESOLUTION NO. 105621, recorded on Microfilm Roll No. 47, determining that the proposed improvement of paving and otherwise improving of the Alley in Block 11, La Jolla Strand, within the limits and as particularly described in Resolution No. 105255, of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105256, recorded on Microfilm Roll No. 47, for the paving and otherwise improving of the Northerly and Southerly Alley in Block 79, Subdivision of Acre Lots 12 to 15; 39 to 41; and portions of Acre Lots 16, 37, 45 and 46 and Blocks 150 and 151 of Pacific Beach; the Easterly and Westerly Alley in said Block 79, and Law Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, RESOLUTION NO. 105622, recorded on Microfilm Roll No. 47, determining that the proposed improvement of paving and otherwise improving of the Northerly and Southerly Alley in Block 79, Subdivision of Acre Lots 12 to 15, 39 to 41, and portions of Acre Lots 16, 37, 45 and 46 and Blocks 150 and 151 of Pacific Beach, the

easterly and Westerly Alley in said Block 79 and Law Street, within the limits and as particularly described in Resolution No. 105256, of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105257, for the paving and otherwise improving of Olivet Street, between the southerly line of Villa Tract La Jolla Park and the southeasterly prolongation of the northeasterly line of Ivanhoe Avenue East; and Cabrillo Avenue, between the southerly line of Villa Tract La Jolla Park and the southerly line of Pearl Street; within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

The type of paving proposed to be used was questioned by Councilman Dail. This was a six and one-half inch special pavement. The questions were answered by City Engineer A. K. Fogg.

Mr. E. P. McDonald, living at 7561 Cabrillo Avenue, inquired as to the width of paving proposed on said Cabrillo Avenue. The question was satisfactorily answered by the City Engineer.

Thereupon, RESOLUTION NO. 105623, recorded on Microfilm Roll No. 47, determining that the proposed improvement of paving and otherwise improving of Olivet Street and Cabrillo Avenue, within the limits and as particularly described in Resolution No. 105257, of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105258, recorded on Microfilm Roll No. 47, for the paving and otherwise improving of Puterbaugh Street, between the northwesterly line of Pringle Street and line parallel to and distant 240.00 feet northwesterly from the northwesterly line of Pringle Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, RESOLUTION NO. 105624, recorded on Microfilm Roll No. 47, determining that the proposed improvement of paving and otherwise improving of Puterbaugh Street, between the northwesterly line of Pringle Street and a line parallel to and distant 240.00 feet northwesterly from the northwesterly line of Pringle Street, within the limits and as particularly described in Resolution No. 105258, of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission reporting on request for rezoning from R-4 to R-1 Zone a portion of Pueblo Lot 1258, on the East side of La Jolla Boulevard, was presented; together with other papers in connection therewith.

At the meeting of February 21, 1952, the Council had set a formal hearing for to-day's meeting, at the hour of 10:00 o'clock A.M. to hear all interested persons in connection with this requested rezoning.

The Mayor mentioned the three to two vote of the Planning Commission in favor of the re-zoning; which constitutes only a report on the petition for an R-1 Zone. The petition was signed by owners of near-by property, seeking to change the zone of a portion of Pueblo Lot 1258, the owners of which wished to retain the present R-4 Zoning.

Glenn Rick explained the location of the subject property, and action by the Planning Commission on the request. He stated it would require five favorable votes by the Council to grant the petition. Questions by Councilman Swan and Wincote were answered by Glenn Rick; who stated the re-zoning would not affect building permits already issued on which construction had been commenced.

Attorney Richard F. Boyer of La Jolla, representing the petitioners spoke. He presented seven copies of booklets, with maps. He said 119 people in Hermosa Terrace and La Jolla Gables want the re-zoning. He stated that Hermosa Terrace is now in Zone R-1; and that 61 owners of property in La Jolla Gables, now an R-2 Zone, have petitioned for R-1 Zoning in their subdivision. He explained the Maps in booklets presented on behalf of the petitioners, and stated that most of the neighboring property is in Zone R-1. He read extracts from the 1946 minutes of the Planning Commission opposing R-4 Zoning of this area. The La Jolla Improvement Association's reasons for opposing R-4 Zoning by Fred Winship to erect apartments were outlined. He stated La Jolla Gables and Hermosa Terrace property owners did not know the subject property could be used for apartment houses. He stated apartments were contemplated facing on La Jolla Boulevard, and made other statements against an R-4, apartment house, use of the portion of Pueblo Lot 1258. Questions by Councilmen Swan, Dail and Wincote were answered by Attorney Boyer.

Commander C. M. Courtney; U. S. N., retired, stated he signed a petition for an R-4 Zone in 1946 on the strength of sketch submitted by Fred Winship. He objected to the present apartment houses proposed.

Mrs. A. E. Childs, 6450 La Jolla Boulevard, stressed her desire for maintaining a single family residential district; and opposed what she termed a "commercial use" of Pueblo Lot 1258.

It was stated that the proposed apartments would destroy values in near-by property.

Mr. George Peterson of 6305 Electric Avenue wished to maintain single

family dwelling "harmonious" construction. He said zone variances for bars and barber shops, etc., would follow the apartment house construction; and that the new construction would bring in at least 87 new automobiles and create a traffic problem.

Mr. Philip Rudnick, 405 Vincente Way, objected to the intensity of land use in the Winship Tract. He stated an R-4 use would allow 4 times the intensity of present use of surrounding property.

Mr. Rodger Revelle, 7348 Vista Del Mar Avenue, opposed multiple units near his home.

Mrs. Dorothy McGowan craved protection from commercial development; including a possible bar near where her children play.

The Mayor stated that this side of the hearing would now be closed.

A letter from Harry Haelsig on the subject was read by the City Clerk.

Councilman Godfrey said the property owners who acquiesced to the establishment of an R-4 Zone were caught in a vise or trap when Mr. Fred Winship changed his building plans; and that the original representation was not carried through.

Glenn Rick explained the two recommendations of the Planning Department; 1946 vs 1952.

Attorney John M. Cranston, on behalf of Walter Ames, stated that in his opinion statements previously made were not material. He presented a map showing the present zoning along La Jolla Boulevard; with an R-4 zone south of the subject property and R-4 zones north of the property, and commercial zones in the Bird Rock section. He stated that La Jolla Boulevard is a through boulevard with very limited R-1 space. He stressed the proposed use of an existing R-4 Zone. He stated that five apartment houses are being built just south of this property; and mentioned uses for Restaurants, Doctors' offices, cocktail lounge and other commercial purposes along the boulevard. He stated that Mr. Winship's plans were completed, building permits issued, etc., before a petition for a change to an R-1 Zone was presented.

He mentioned street dedications by Fred Winship for Palomar Avenue and Electric Avenue and the dedication of Beach property for a park; as being consideration for the 1946 R-4 Zoning of the subject property. He stated this development, along with the map layout for Plumosa Terrace, was all one deal; and claimed that the City is morally bound to leave the present R-4 Zone as is.

He discounted any additional traffic hazard on La Jolla Boulevard, which is already a major artery. He mentioned an existing cocktail bar a short distance south of the subject property. He turned in a petition, signed in a few hours the previous week, with 30 names favoring the R-4 Zone. He mentioned the housing shortage and stated new apartments would help this situation. Copies of letters from Mr. Ames on the subject were presented.

Questions by Mr. Dail relative to the legal or moral obligation of the Council to maintain the R-4 Zone were answered by Mr. Cranston. Councilmen Godfrey and Wincote spoke on this feature.

The petition circulator who secured the 30 names favoring the R-4 Zone stated most of the signatures were obtained in Plumosa Terrace.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, the Council took a recess at the hour of 1:00 o'clock - noon - until the hour of 2:00 P.M. this date.

Upon reconvening, at the hour of 2:12 o'clock P.M. the roll call showed as follows:

Present--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler.

Absent---Councilman Schneider.

Clerk----Fred W. Sick.

At this time the hearing on the City Planning Commission report on the request for rezoning from R-4 to R-1 Zone a portion of Pueblo Lot 1258, on the East side of La Jolla Boulevard, was resumed.

Attorney J. K. Stickney submitted pictures showing structures on all four sides of the subject property; duplex south; high (5+foot) wall on the west side of La Jolla Boulevard; small houses, apartment houses, etc. He also submitted pictures of structures on Electric Avenue; doctors' clinic, etc. He stated that the units proposed will be better than the average existing improvements. The proposed plans call for 28 units of three 2-bedroom residences each. He stated his principals have plans completed, have negotiated four loans for construction and the trust deeds are issued; that the construction has started and that \$1740 has been expended for Government permits, etc.; all based on the fact that the property is in an R-4 Zone.

Mr. Evans, an engineer and draftsman, explained the nature of the construction proposed, consisting of 84 units with private balcony or patio on each; backing up to a central roadway with parking stalls for each car. He stated the units will cost \$45,000 each; with three rentals each.

Residents of La Jolla stated that rentals there are booked solid for next Summer.

Attorney John M. Cranston turned in a map showing zones along La Jolla Boulevard.

Mr. Fred A. Winship spoke relative to the 1946 zoning. He stated he had subdivided and built Hermosa Terrace, one of the finest subdivisions in the area, and was owner of the subject property at the time it was placed in R-4 Zone. He stated that Mr. Tom Shepard drew up a prospectus in 1946 in connection with the R-4 Zoning petition. He stated that six years had elapsed, but according to his recollection he did not state he was going to build apartments on the property. He did state that a group of men from Los Angeles were going to build a Hotel. The Government restrictions the late part of 1946 stopped the project. It was stated that no pictures of the present proposed development were available.

In rebuttal, Attorney Richard F. Boyer presented Mrs. Peterson; who spoke in support of the petition for an R-1 Zone. She thought the request was reasonable.

Attorney Boyer claimed only an option was issued for the purchase of this property in an R-4 Zone. He stated the tentative purchasers, the La Jolla Development Corporation, had ample notice of the petition to re-zone the property at R-1. He claimed plans and drawings for the proposed development are available, and have been shown to numerous persons at La Jolla. He objected to the claim that the Council was bound to maintain an R-4 Zone on the subject property on what would have been an illegal contract to tie the Council's hands. He stated no concrete has been poured on the new construction. He again stressed bad traffic situation in this mainly residential district.

Councilman Dail asked questions as to the date the property changed hands. Attorney Stickney stated that December 6th, 1951, is the date of the contract.

Councilman Wincote asked who held title to the property, and was informed that it now belonged to the La Jolla Development Company. Attorney Stickney spoke relative to the rights of the owner of R-4 property.

It was stated that the petition for an R-4 zone was circulated from November 16th, 1951 to December 5th, 1951.

A representative of Robert Holmes, Realtor, stated that negotiations for the transfer of title to the property had started several months ago.

Further discussion followed, in which Messrs Swan, Wincote, Godfrey and Rick were participants.

All interested persons having been heard, RESOLUTION NO. 105625, recorded on Microfilm Roll No. 47, denying the petition for rezoning a portion of Pueblo Lot 1258, bounded by La Jolla Boulevard, Electric Avenue, Mesa Way and Palomar Avenue, from R-4 to R-1 Zone, filed under Document No. 441993; and filing the City Planning Commission's report on the matter; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted. Councilman Swanvoted "Nay" on the motion.

Petition of Property Owners for permission to start proceedings for the annexation of a portion of Lot 32, La Mesa Colony, was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, referred to the City Manager.

Petition of Residents for removal of certain trailers from 1803 Imperial Avenue was presented, and on motion of Councilman Kerrigan, seconded by Councilman Dail, referred to the City Manager.

The claim of Hilda Inch, based on damage from broken water pipe, in the sum of \$20.51, was presented.

RESOLUTION NO. 105626, recorded on Microfilm Roll No. 47, referring to the Pacific Indemnity Company the claim of Hilda Inch, filed under Document No. 445138, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Claim of United States Post Office Department, by William E. Krenning, Postmaster, based on damage to letter box equipment, in the sum of \$21.51, was presented.

RESOLUTION NO. 105627, recorded on Microfilm Roll No. 47, referring to the Pacific Indemnity Company the claim of the United States Post Office, filed under Document No. 445017, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids received for construction of Mission Boulevard storm drain for the City of San Diego, was presented.

RESOLUTION NO. 105628, recorded on Microfilm Roll No. 47, accepting the bid of Johnson Western Constructors of Coronado, California, for construction of Mission Boulevard storm drain for the City of San Diego, for the sum of \$7,913.00; awarding the contract and authorizing the execution of the same; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting the need for securing bids for 59 electrical fixtures to fill Electrical Division Requisitions, was presented.

RESOLUTION NO. 105629, recorded on Microfilm Roll No. 47, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with approximately 59 electrical fixtures in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the Office of the City Clerk bearing Document No. 445187, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105630, recorded on Microfilm Roll No. 47, authorizing and directing the Purchasing Agent to purchase in the open market, without advertising for bids therefor, the required parts for Fairbanks Morse 24-inch sewage pump at the Sewage Treatment Plant in the City, at an approximate cost of \$1,455.05, f.o.b. San Diego, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

A proposed Resolution, given Number 105631, which was later cancelled, authorizing and directing the Purchasing Agent to advertise for sale and sell the cabins Numbered 1525, 1526, 1527, 1529, 1530, 1531 and 1532, located at the Lower Otay Recreation area; also cabins Numbered 3316, 3317, 3327, 3328, 3329, 3330 and 3331, located at San Bernardo Bridge, in the Lake Hodges Recreation area; said cabins to be moved by the purchasers; was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, continued for one week for further consideration.

Communication from the City Planning Commission submitting Resolution suspending three sections of the Subdivision Ordinance relative to the Tentative Map of Diamond Tract, was presented.

RESOLUTION NO. 105632, recorded on Microfilm Roll No. 47, suspending Sections 4A8 and 6 and Section 5C of the Subdivision Ordinance, in connection with the Tentative Map of Diamond Tract, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission submitting Resolution approving the Tentative Map of Diamond Tract, a subdivision of a portion of Lots K and L, La Mesa Colony, into fifteen building sites; subject to ten conditions, was presented.

RESOLUTION NO. 105633, recorded on Microfilm Roll No. 47, approving the Tentative Map of Diamond Tract, located southerly of Amherst Street and westerly of 70th Street; subject to ten conditions fully set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission recommending rezoning to Zone R-1 portions of Lots 66 and 67 of Rancho Mission, north of Alvarado Canyon Road, east of Grantville; recently annexed to the City of San Diego, was presented.

RESOLUTION NO. 105634, recorded on Microfilm Roll No. 47, referring to the City Attorney for preparation of the necessary ordinance, all papers in connection with the proposed zoning of a portion of Lots 66 and 67 of Rancho Mission, to R-1 Zone, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from the City Manager recommending filing complaint relative to leaky water mains on 31st Street, south of Thorn Street, was presented and on motion of Councilman Kerrigan, seconded by Councilman Wincote, ordered filed; together with the complaint contained in Document No. 444311.

Communication from the City Engineer recommending amending proceedings for paving Shasta Street; to combine with work on Chico Street and Kendall Street; was presented; bearing the approval of the City Manager.

RESOLUTION NO. 105635, recorded on Microfilm Roll No. 47, adopting the recommendation of the City Engineer filed under Document No. 445129; authorizing said City Engineer to amend the proceedings for the improvement of Kendall Street, Chico Street and Shasta Street, in accordance with said recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent recommending filing the petition for closing portion of Baker Street, from the westerly line of Lot 8, Eureka-Lemon Tract, to the easterly line of Lot 12, Subdivision of Pueblo Lot 1207, was presented, and on motion of Councilman Kerrigan, seconded by Councilman Godfrey, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Carol K. Winkles Smith; closed by the payment of \$3,000.00; was presented and on motion of Councilman Swan, seconded by Councilman Wincote, ordered filed.

RESOLUTION OF AWARD NO. 105636, recorded on Microfilm Roll No. 47, awarding to R. E. Hazard Contracting Company, the contract for paving and otherwise improving of the Alleys in Blocks 96, 97, 99, 100, 103, 104 and 107, Mission Beach; Santa Barbara Place; Mission Boulevard; Ventura Boulevard and Public Rights of Way, as described in Resolution of Intention No. 104662, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 105637, recorded on Microfilm Roll No. 47, awarding to John B. Henry the contract for paving and otherwise improving the Alley in Block 13, Point Loma Heights, as described in Resolution of Intention No. 104766, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 105638, recorded on Microfilm Roll No. 47, awarding to Griffith Company the contract for paving and otherwise improving of Tourmaline Street, Bayard Street, Opal Street and Loring Street, as described in Resolution of Intention No. 104767, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 105639, recorded on Microfilm Roll No. 47, for the paving and otherwise improving of Quimby Street and Plum Street, within the limits and as particularly described in Resolution of Intention No. 104945, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 105640, recorded on Microfilm Roll No. 47, for the paving and otherwise improving of Savoy Street, between La Paloma Street and Varona Street, within the limits and as particularly described in Resolution of Intention No. 104946, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 105641, recorded on Microfilm Roll No. 47, for the installation of sewer mains and appurtenances in 66th Street, Madera Street, Brooklyn Avenue, Wunderlin Avenue, Broadway, Bittern Street, Akins Avenue and Evelyn Street, within the limits and as particularly described in Resolution of Intention No.

104947, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 105642, recorded on Microfilm Roll No. 47, for the furnishing of electric current for the lighting of the ornamental street lights located in Eighth Avenue Lighting District No. 1, for a period of one year, from and including January 1, 1952, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 105643, recorded on Microfilm Roll No. 47, for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Lighting District No. 1, for a period of one year, from and including January 1, 1952, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 105644, recorded on Microfilm Roll No. 47, for the furnishing of electric current for the lighting of the ornamental street lights located in Seventh Avenue Lighting District No. 1, for a period of one year, from and including January 1, 1952, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 105645, recorded on Microfilm Roll No. 47, for the closing of that portion of the Alley in Block 13, Las Alturas No. 4, according to Map No. 2052, lying between the southeasterly line of Imperial Avenue and a line parallel to and distant 20.00 feet southwesterly, measured at right angles, from the northwesterly prolongation of the northeasterly line of Lot S in said Block 13; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 105646, recorded on Microfilm Roll No. 47, for the closing of all of the Alley in Block 5 of Second Fortuna Park Addition, according to Map thereof No. 895, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105647, recorded on Microfilm Roll No. 47, for changing the grade of Hugo Street, between a line parallel to and distant 275.00 feet southeasterly from the southeasterly line of Clove Street and a line parallel to and distant 150.00 feet southeasterly from the southeasterly line of Plum Street; and Plum Street, between a line parallel to and distant 25.00 feet southwesterly from the southwesterly line of Hugo Street and a line parallel to and distant 12.50 feet northeasterly from the northeasterly line of Hugo Street; all as described in Resolution of Intention No. 104512, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105648, recorded on Microfilm Roll No. 47, ascertaining and declaring the wage scale to be used in connection with the paving and otherwise improving of the Alley in Block 2, Ocean Beach, between the northwesterly line of Guizot Street and the southeasterly line of Froude Street; and the Alley in Block 27, Ocean Beach, between the northwesterly line of Froude Street and the southeasterly line of Ebers Street; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105649, recorded on Microfilm Roll No. 47, ascertaining and declaring the wage scale to be used in connection with the paving and otherwise improving of E Street, between the westerly line of 30th Street and a line parallel to and distant 270.00 feet westerly from the westerly line of 30th Street, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105650, recorded on Microfilm Roll No. 47, ascertaining and declaring the wage scale to be used in connection with the paving and otherwise improving of 51st Street, between the northerly line of Trojan Avenue and the southerly line of El Cajon Boulevard; and the Alley in Block 42, Tract 1368, between the northerly line of Trojan Avenue and the southerly line of El Cajon Boulevard, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105651, recorded on Microfilm Roll No. 47, ascertaining and declaring the wage scale to be used in connection with the paving and otherwise improving of Locust Street, between the northeasterly line of Garrison Street and the southwesterly line of Keats Street, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105652, recorded on Microfilm Roll No. 47, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Crown Point Lighting District No. 1, for the period of one year from and including February 15, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105653, recorded on Microfilm Roll No. 47, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Presidio Hills Lighting District No. 1, for the period of one year from and including February 1, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105654, recorded on Microfilm Roll No. 47, approving the diagram of the assessment district for paving and otherwise improving of the Alleys in Block C, Starkey's Prospect Park, within the limits and as particularly described in Resolution of Intention No. 102451, was on motion of Councilman Wincote, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105655, recorded on Microfilm Roll No. 47, granting the petition contained in Document No. 444478 for the paving and otherwise improving of Meade Avenue, between Menlo Avenue and 47th Street; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

A proposed Resolution establishing a parking time limit of two hours on 30th Street, between the north line of Lincoln Avenue and the south line of Polk Avenue; and certain other streets; was presented.

Mr. Elmer Hartman, residing in the North Park District, spoke in opposition to the use of parking meters on 30th Street. He made other remarks relative to the parking problem and traffic congestion in the general vicinity of University Avenue and 30th Street.

After hearing Mr. Hartman, RESOLUTION NO. 105656, recorded on Microfilm Roll No. 47, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted, establishing a parking time limit of two hours, between the hours of 8:00 o'clock A.M. and 6:00 o'clock P.M., Sundays and holidays excepted, on the following streets in The City of San Diego:

30th Street, between the north line of Lincoln Avenue and the south line of Polk Avenue;

India Street, between the north line of Date Street and the southerly line of Grape Street;

India Street, between the northerly line of Walnut Street and the southerly line of Chalmers Street;

Kettner Boulevard, between the northerly line of Hawthorn Street and the southerly line of Ivy Street;

Winder Street, between the westerly line of Kettner Boulevard and the easterly line of Hancock Street.

This Resolution also established Parking Meter Zones upon the streets hereinabove described; and authorized the City Manager to cause said parking meters to be installed; also authorizing the installation of the necessary signs and markings on said streets.

RESOLUTION NO. 105657, recorded on Microfilm Roll No. 47, declaring the following intersections of streets in The City of San Diego to be "Intersection Stops" was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted:

13th Street and K Street, affecting traffic on 13th Street;

Balboa Drive and El Prado, affecting traffic on Balboa Drive.

This Resolution also authorized the installation of the necessary signs and markings to be made on said streets.

RESOLUTION NO. 105658, recorded on Microfilm Roll No. 47, awarding the contract for printing 1500 copies of the San Diego Municipal Code to Neyenesch Bros., Inc., 1801 Broadway, San Diego, California, for the price of \$4.45 per copy; said codes to be in accordance with specifications mentioned in said Resolution; also, awarding the contract for the printing of extra pages during the year following the initial printing to Neyenesch Bros., Inc., at the price of \$20.00 per 1500 sheets, printed on both sides; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105659, recorded on Microfilm Roll No. 47, ratifying and approving the employment of Mr. Wayne A. Perkins as consultant in connection with the preparation of plans and specifications for the construction of Sutherland Dam; authorizing the City Manager to issue a requisition in the amount of \$750.00 for payment to Mr. Wayne A. Perkins for his services in connection with services rendered in the preparation of plans for the construction of said Sutherland Dam; authorizing the City Auditor and Comptroller to issue his warrant in the amount of \$750.00, in payment of said services; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105660, recorded on Microfilm Roll No. 47, authorizing and directing the City Manager to make application to the County Board of Supervisors of the County of San Diego, State of California, and to take all necessary steps to acquire from the State of California, certain tax-deeded lands, which may be purchased by the City of San Diego by entering into an option with the Board of Supervisors of the County of San Diego, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The lands referred to in said Resolution were described as:

Normal Heights: Lots 29 and 30, Block A;

Lot 35, Block A.

RESOLUTION NO. 105661, recorded on Microfilm Roll No. 47, approving the request of Charles J. Dorfman, contained in Document No. 445308, for an extension of time of 60 calendar days, to and including April 18, 1952, in which to complete his contract for the installation of the 54th Street 12-inch asbestos cement pipe line, from El Cajon Boulevard to Orange Avenue, including Section on Orange Avenue, and from Chollas Station Road to Euclid Avenue; which said contract is contained in Document No. 438842; waiving provisions of the specifications with respect to liquidated damages until April 18, 1952; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105662, recorded on Microfilm Roll No. 47, granting permission to Charles K. Fletcher Co. to connect a private four-inch sewer line to an existing sewer line lying within Lot 7 of Aurora Heights; said connection to serve property at 2804-06 Thirtieth Street; subject to the approval of the San Diego Health Department and the City Manager, and upon the express condition that the City of San Diego shall be held free and clear of any claim for damages by reason of the installation, operation and maintenance of said sewer line; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Ordinance No. 5083, New Series, recorded on Microfilm Roll No.47, appropriating the sum of \$40,000.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the construction of a pelletizing system at the Sewage Treatment Plant, was on motion of Councilman Dail, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

ORDINANCE NO. 5084, New Series, recorded on Microfilm Roll No.47, appropriating the sum of \$7,890.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing additional funds for the construction of a 54-inch outfall sewer at the Sewage Treatment Plant, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Kerrigan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

ORDINANCE NO. 5085, New Series, recorded on Microfilm Roll No. 47, creating the position of Bridge Maintenance Foreman in the Classified Service of The City of San Diego, and establishing a schedule of compensation therefor, was on motion of Councilman Dail, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

ORDINANCE NO. 5086, New Series, recorded on Microfilm Roll No.47, amending Sections 22.0902, 22.0903, and 22.0904 of The San Diego Municipal Code, relative to sales of real property; Real Estate Agent - Registration; and Deposit by Agent; respectively; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

A proposed Ordinance Incorporating the West 190 Feet of the South 270 feet of Lot 15, La Mesa Colony, in The City of San Diego, California, into "R-2" Zone, as defined by Chapter X, Article 1, Division 4 of the San Diego Municipal Code; repealing Ordinance No. 13558, adopted July 5, 1932, insofar as the same conflicts therewith; was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, a hearing to consider the terms and provisions of this proposed Ordinance was set for Tuesday, March 11th, 1952, at the hour of 10:00 o'clock A.M.

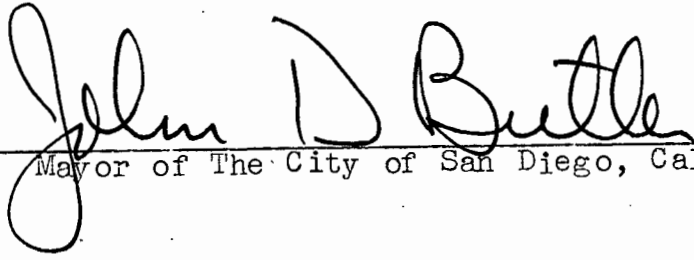
A proposed Ordinance Incorporating portions of Pueblo Lots 1202 and 1203, in The City of San Diego, California, into an "R-1" Zone, "R-2" Zone and "R-4" Zone, as defined by Chapter X, Article 1, Division 4 of the San Diego Municipal Code, repealing Ordinance No.13457 and Ordinance No. 3907 (New Series), adopted February 15, 1932, and October 26, 1948, insofar as the same conflicts therewith; was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, a hearing to consider the terms and provisions of this proposed Ordinance was set for Tuesday, March 11th, 1952, at the hour of 10:00 o'clock A.M.

RESOLUTION NO. 105663, recorded on Microfilm Roll No. 47, accepting the bid of M. H. Golden Construction Company for the construction of the University Heights North Reservoir, located between Oregon and Idaho Streets on the south side of El Cajon Boulevard, at the unit prices set forth in its bid, which unit prices amount to a total estimated sum of \$398,413.00; authorizing a contract with the said M. H. Golden Construction Company for the construction of said University Heights North Reservoir; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

A letter from Mrs. E. R. Capehart acknowledging receipt of Council Resolution upon the death of her brother, General Ralph VanDeman was presented and on motion of Councilman Wincote, seconded by Councilman Kerrigan, ordered filed.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 3:20 o'clock P.M., on motion of Councilman Dail, seconded by Councilman Godfrey.



Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By Clark M. Foster Jr
Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, February 28th, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:02 o'clock A.M.

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

A group of 35 A.S.B. Officers and Senior Problems Class Officers from the Kearny Jr-Sr High School, accompanied by Mr. Wemple, attending the meeting, were recognized by the Mayor at this time. The group stood at the request of the Mayor.

A group from St. John's Grammar School, with Sister Mary Lois, were also present, and stood in response to the Mayor's introduction. Procedure of the Council meetings was explained by the Mayor.

The appeal of Randcliff Hanman and Jack A. Landale, d.b.a. The Pullman Laundry, by Attorneys Luce, Forward, Kunzel & Scripps, from the decision of the Zoning Committee denying permission to construct loading ramps and truck parking lot for existing non-conforming laundry, on Lots 9 through 12, and the north half of Lot 13, Block 179, University Heights, at 4065 Normal Avenue, in Zone R-4, was considered at this time. Report from the Planning Technician on this appeal was read.

Glenn Rick reported orally on the matter of the fire and explosion at the laundry early this year, and the present work of rehabilitation of the plant; and the desired parking lot and loading ramp; which later work he stated was an expansion of the former plant.

Councilman Dail suggested a deadline for the operation of this non-conforming laundry.

Questions by Councilman Swan relative to the desired parking lot were answered by Glenn Rick.

Attorney Edgar A. Luce stated no attempt was being made to expand the laundry plant; they were trying to arrange for ample off-street parking and loading facilities.

Attorney Luce submitted plans. He stated they did not have enough money to move the laundry at the present time. He explained the plans as a betterment and improvement of the present situation; to do away with parking in the Alley and Street. He stated a 30 by 60 foot area is available for parking and loading. This area has been paved; after moving off a house which sold for \$2700.00

Mr. Jack A. Landale, one of the owners, stated that most of their work is from military organizations; 50% of the work is done for the marine corps. He said they have been handling Marine Corps Base business for about twelve years; and that there has been a great increase in this business in the last two years; that they are now doing 615% more than in 1945. They have been forced to park trucks and load on the paved area inside the grounds.

Mr. W. F. Ingalls, secretary of the Laundry Association, explained conditions in other local laundries. He said that all are working at full capacity and that, "the military laundry contract will be moved to Los Angeles unless the Pullman Laundry continues to handle it".

Mr. George Nelson of the Pullman Laundry, spoke relative to the truck parking problem, and the need for the parking area and loading ramp as applied for.

Mrs. Julian Smith, bookkeeper at the Pullman Laundry presented a petition of production employees for favorable action on the petition for truck parking area and ramps; which she read. It was stated that 75 employees of the laundry are vitally interested. Fifteen trucks are in use by the laundry, according to Mr. Landale.

Mr. James E. Taylor presented a similar petition from Salesmen and Drivers of the laundry. He stated there were sixteen salesmen and drivers, who work on a commission basis. The petition was read by Mr. Taylor.

A statement showing the average weekly sales to the Marine Base and to family trade was presented for the years 1945 to 1951, inclusive.

Councilman Wincote asked Mr. Landale how long it would be before they would move the laundry. Mr. Landale stated they planned to move when the needed capital is available. He could give no approximate date for said change in location.

More discussion followed relative to an approximate removal date.

Mr. Landale stated that if granted a permit of three years' duration for the sideyard; they will discontinue the use of said sideyard at that time.

Fourteen protestants stood at the request of the Mayor for a showing.

Mr. J. H. Byrnes, of 4003 Normal Street, objected to the large number of trucks used and violations of the Zoning Regulations, which are for R-4 uses only.

Mr. Al Ohlinger, 4030 Normal Street, stated the drivers drive on the wrong side of the street to start trucks; wash trucks on loading ramps and the water runs down the street. He also stated that the trucks block the Alley, and that some 200 school children pass the ramp daily.

Mr. S. D. Busch of 1644 Lincoln Avenue, requested that existing laws and regulations be conformed with. He said the two-foot wall will not hide the trucks nor the buildings.

Miss M. Blanche De Vere, owner of property just south of the laundry, mentioned gasoline smells, blocked driveway, blocked Alley, parking problems, noise, etc.

All interested persons having been heard, the Mayor announced that the hearing was closed.

Comments were made by Councilmen Wincote, Kerrigan and Godfrey; Attorney Luce and Mr. Byrne.

RESOLUTION NO. 105664, recorded on Microfilm Roll No. 48, overruling the appeal of Randcliff Haniman and Jack A. Landale, d.b.a. The Pullman Laundry, by Luce, Forward, Kunzel & Scripps, attorneys, from the decision of the Zoning Committee in denying by its Resolution No. 6156, application No. 9227, for variance to the provisions of Ordinance No. 12988, to construct loading ramps and truck parking lot for an existing non-conforming laundry, on Lots 9 through 12 and the north half of Lot 13, Block 179, University Heights; at 4065 Normal Avenue, in Zone R-4; sustaining said Zoning Committee; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing relative to the proposed demolition of Casa de Lopez, located at the westerly end of the 3900 Block on Twiggs Street, on Lot 3, Block 445, Old Town; declared to be unsafe structure by the Building Inspection Department, papers in connection with the matter were presented.

Deputy City Attorney Louis M. Karp stated the building has been declared unsafe by the City Inspection Department.

Glenn Rick said the building has been abandoned. He submitted a picture; and stated the building is partly on Jefferson Street and partly on private property; that the City could close a portion of the street if the building is to be restored.

Mrs. Alice D. Fisher, owner of Lot 3, Block 445, Old Town, explained occupation of the building by anti-aircraft battery during World War II. She said the property was returned during February, 1946. It consists of a 100 by 34 foot house, about half of which is in the City Street. The roof of one room has been taken off for firing anti-aircraft guns. The wooden floors were broken in while occupied by Government forces. She stated no financial recompense was received for the damage done. The possible use of the building as an historical landmark was discussed by Mrs. Fisher and the Mayor. The lady said she would cooperate with any plan for restoration, as the building dates from 1834.

Mr. Fisher spoke; stating that due to location of the house in a public street private money can not be expended to restore it. He said the City should pay for demolishing the structure in the street. He estimated the cost to rehabilitate the building at from \$20,000 to \$30,000. He thought a period of two years should be allowed to work out a program.

Glenn Rick reported on the history of the proposed street closing, and said that if the street were closed, money might be raised to restore the building.

A motion was made by Councilman Dail to hold a hearing on the street closing. No second was received to the motion.

Mrs. Alice D. Fisher presented Maps and blue prints of possible work, and showing the location of the subject house in relation to the street and Block 445, Old Town.

Mr. Gerard Dougherty expressed interest in Historical things. He said the building should be preserved. He did not want to take title to the property. He said "they" (presumably the San Diego Historical Society) could raise enough in a year or two to place the building in good condition.

Discussion by Councilmen Godfrey, Dail, Swan, Kerrigan, and Godfrey followed. The Mayor and Deputy City Attorney Karp also expressed views on the matter.

At this time Mayor Butler was excused and Councilman Kerrigan assumed the duties of Chairman, pro tempore.

A motion was made by Councilman Godfrey to refer the matter to conference, for consideration "one week from next Tuesday".

Mr. Edwin B. Robinson, of 2545 Congress Street, stated he owns land adjoining the Fisher property. He said this old building has been condemned for three years, and no action taken to destroy or restore the structure.

At this time Councilman Dail was excused from the meeting.

Mr. Fisher spoke again, requesting a continuance for one month. Mr. Weber, of 2519 Congress street, requested restoration of the house.

After further discussion, RESOLUTION NO. 105665, recorded on Microfilm Roll No. 48, referring to Council Conference for consideration at the hour of 2:00 o'clock P.M. March 11, 1952, the matter regarding the proposed demolition of Casa de Lopez, located at the westerly end of the 3900 Block on Twiggs Street, on Lot 3, Block 445, Old Town; declared to be an unsafe structure by the Building Inspection Department; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Petition of Ancient Egyptian Order of Sciots for permission to use the Isle opposite Mission Beach for annual Isle of Chyos Ceremonial; and for permission to hold a street parade on June 7th, 1952; was presented, and on motion of Councilman Godfrey, seconded by Councilman Swan, referred to the City Manager.

Claim of Benito G. Garcia, damaged car by City truck; in the amount of \$67.59, was presented.

RESOLUTION NO. 105666, recorded on Microfilm Roll No. 48, referring the claim of Benito Garcia, filed under Document No. 445272, to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Claim of William J. Martin, based on flood damage, in the amount of \$1,115.00 was presented.

RESOLUTION NO. 105667, recorded on Microfilm Roll No. 48, referring the claim of William J. Martin, filed under Document No. 445350, to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Claim of Ancel W. Cutright, based on accident in the Mission Bay Channel, in the sum of \$110,000.00, was presented.

RESOLUTION NO. 105668, recorded on Microfilm Roll No. 48, referring the claim of Ancel W. Cutright, contained in Document No. 445303, to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Claim of Clorina R. Esteridge, Marcos M. Estridge, Maria Elena Estridge and the unborn child of Clorinda R. Estridge and Elihu H. Estridge, based on accident in the Mission Bay Channel, in the sum of \$250,000.00, was presented.

RESOLUTION NO. 105669, recorded on Microfilm Roll No. 48, referring the claim of Clorinda R. Estridge, Marcos M. Estridge, Maria Elena Estridge and the unborn child of Clorinda R. Estridge and Elihu H. Estridge, to the Pacific Indemnity Company; said claim being contained in Document No. 445299; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Claim of Elgie R. Porter and Douglas R. Porter, based on accident in the Mission Bay Channel, in the sum of \$50,000.00; was presented.

RESOLUTION NO. 105670, recorded on Microfilm Roll No. 48, referring the claim of Elgie R. Porter and Douglas R. Porter, contained in Document No. 445302, to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Claim of Leroy J. Roderick, based on accident in the Mission Bay Channel, in the sum of \$10,000.00, was presented.

RESOLUTION NO. 105671, recorded on Microfilm Roll No. 48, referring the claim of Leroy J. Roderick, filed under Document No. 445297, to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Claim of Rose T. Snyder and Chester A. R. Snyder, Jr., Violet T. Salter and Dorothy M. Hahn, based on accident in the Mission Bay Channel, in the sum of \$200,000.00 was presented.

RESOLUTION NO. 105672, recorded on Microfilm Roll No. 48, referring the claim of Rose T. Snyder and Chester A. R. Snyder, Jr., Violet T. Salter and Dorothy M. Hahn, contained in Document No. 445301, to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Claim of Alicia R. Stevens, based on accident in the Mission Bay Channel, in the sum of \$200,000.00, was presented.

RESOLUTION NO. 105673, recorded on Microfilm Roll No. 48, referring the claim of Alicia R. Stevens, contained in Document No. 445300, to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Claim of Dolores Josephine Swensrud and Keith Swensrud, based on accident in the Mission Bay Channel, in the sum of \$200,000.00, was presented.

RESOLUTION NO. 105674, recorded on Microfilm Roll No. 48, referring the claim of Dolores Josephine Swensrud and Keith Swensrud, contained in Document No. 445298, to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Copy of Resolution from the City of Burbank, in opposition to the proposal of the County Supervisors Association for a 4% State Sales Tax to be participated in by the Counties, was presented and on motion of Councilman Swan, seconded by Councilman Godfrey, ordered filed.

Communication from Clifford S. Maher relative to the proposed establishment of one-way streets, was presented and on motion of Councilman Godfrey, seconded by Councilman Swan, referred to the City Manager.

Communication from Parish Council, St. James by the Sea, protesting against the continuance of the remains of the Bird Rock Naval Anti-aircraft Gun Emplacement at the foot of Archer Street, in La Jolla, was presented and on motion of Councilman Godfrey, seconded by Councilman Wincote, referred to the City Manager.

Communication from Clyde A. Wright, Inc. Post No. 433, favoring the development of Collier Park was presented and on motion of Councilman Godfrey, seconded by Councilman Swan, referred to the City Manager.

Communication from San Diego County Building & Construction Trades Council listing increases in wages allowed by the Construction Industry Stabilization Commission, for building construction in San Diego County, was presented and on motion of Councilman Swan, seconded by Councilman Wincote, ordered filed.

Communication from the United States Department of Agriculture exercising option to renew lease No. API 2125 (Horticultural Field Station near La Jolla), was presented and on motion of Councilman Swan, seconded by Councilman Godfrey, ordered filed.

Communication from Owen Williams offering to lease land at Camp Callan for a trailer court was presented and on motion of Councilman Wincote, seconded by Councilman Godfrey, referred to the City Manager.

Communication from San Diego University, a corporation, and San Diego College for Women, a corporation, by Attorneys Martin and Mahedy, offering to dedicate a strip of land for a street to be known as Alcalá Drive; near Linda Vista Highway, at Tecolote Heights, was presented and on motion of Councilman Swan, seconded by Councilman Godfrey, referred to the City Manager.

Communication from the City Manager recommending acceptance of street dedication of portions of Lots 1 to 48, Block 19, Swan's Addition, in the vicinity of Laurel Street and 44th Street, was presented.

RESOLUTION NO. 105675, recorded on Microfilm Roll No. 48, accepting the offer of Owen L. Gullicksen by Robley Veall, filed under Document No. 443836, to dedicate portions of Lots 1 through 48, Block 19 of Swan's Addition for a public street; authorizing the Property Department to secure such an easement; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105676, recorded on Microfilm Roll No. 48, directing the City Clerk to make the canvass of the votes cast at the Municipal Special Elections held on the 26th day of February, 1952, in compliance with Section 10 of the Charter of The City of San Diego, California, and to certify the results of said canvass to the Council, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Godfrey. Nays--None. Absent--Councilmen Schneider, Dail, Mayor Butler.

RESOLUTION NO. 105677, recorded on Microfilm Roll No. 48, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with the Alice Construction Corporation, for the installation and completion of the unfinished improvements and the setting of the monuments required for Donna Estates; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105678, recorded on Microfilm Roll No. 48, adopting the map of Donna Estates and accepting public streets, portions of public streets, alleys and unnamed easements therein, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105679, recorded on Microfilm Roll No. 48, authorizing the City Manager to execute a lease with the Salvation Army, on Lot G, Block 53, New San Diego, according to Map thereof No. 456, for a term of twenty-two months, at a monthly rental of One Hundred and Two Dollars and Fifty Cents; the terms and conditions to be as set forth in the form of lease filed under Document No. 445381; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105680, recorded on Microfilm Roll No. 48, granting permission to Mrs. Mary Tritt Smerles, 927 - 24th Street, to remove 33 feet of curb on the east side of 24th Street, between points 2 and 35 feet south of the south line of the Alley between Broadway and E Street, and to install a driveway at said location adjacent to Lots 25 to 28, Block 5, Breed and Chase's Subdivision, to provide access to a three-car garage; said work to be done in accordance with all rules, regulations and ordinances of The City of San Diego; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105681, recorded on Microfilm Roll No. 48, allowing the bill of San Diego Junior Chamber of Commerce, bearing date of February 20, 1952, in the sum of \$1,500.00 for expenses incurred; as approved by the Advertising Control Committee; authorizing a requisition on the Advertising and Publicity Fund for said sum; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105682, recorded on Microfilm Roll No. 48, accepting the quitclaim deed of Nellie Reeves, executed in favor of The City of San Diego, quitclaiming to said City all her right, title and interest in and to Lots Thirty-four and Thirty-five, in Block Three of Bayside, according to Map thereof No. 453; authorizing and directing the City Clerk to file the said deed for recording in the office of the County Recorder of San Diego County, California; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

An Ordinance establishing the Grade of the Alley in Block B, Cornish Heights, in The City of San Diego, California, according to Map No. 1962 on file in the Office of the County Recorder of San Diego County, California, between the northerly line of La Paloma Street and the southwesterly line of Point Loma Avenue, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan and Godfrey. Nays--None. Absent--Councilmen Schneider, Dail and Mayor Butler.

An Ordinance establishing the grade of the Alley in Block 3, Loma View and the Alley lying southerly of and contiguous to Lots 1 to 10, Point Loma Highlands, in The City of San Diego, California, according to Maps Nos. 1095 and 2471 respectively, on file in the office of the County Recorder of San Diego County, California, between the westerly line of Silvergate Avenue and the Easterly line of Catalina Boulevard, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its first reading

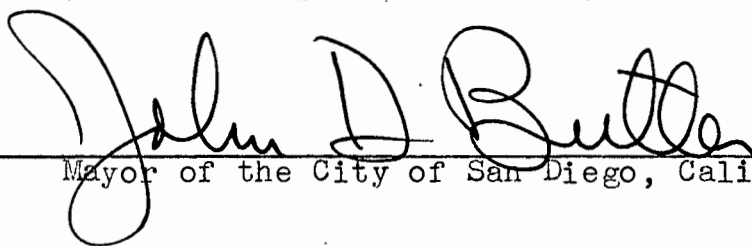
by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan and Godfrey. Nays--None. Absent--Councilmen Schneider, Dail and Mayor Butler.

An Ordinance establishing the grade of Boundary Street in The City of San Diego, California, between the northerly line of Hilltop Drive and the westerly prolongation of the northerly line of Market Street, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its first reading by the following vote-to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan and Godfrey. Nays--None. Absent--Councilmen Schneider, Dail and Mayor Butler.

An Ordinance establishing the grade of Burgener Boulevard, in The City of San Diego, California, between the southerly line of July Street and the northwesterly line of September Street, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan and Godfrey. Nays--None. Absent--Councilmen Schneider, Dail and Mayor Butler.

By Unanimous Consent, RESOLUTION NO. 105683, recorded on Microfilm Roll No. 48, authorizing the City Manager to negotiate with William F. Rogers for the purchase of a portion of the property located at 54th Street and University Avenue for public purposes, in lieu of a condemnation of the entire property presently owned by said William F. Rogers, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

There being no further business to come before the meeting, on motion of Councilman Godfrey, seconded by Councilman Swan, the meeting was adjourned, at the hour of 12:30 P.M.


 Mayor of the City of San Diego, California

(ATTEST) FRED W. SICK, City Clerk,

By Clark M. Foote Jr
 Deputy.

REGULAR MEETING
Chamber of the Council of The City of San Diego, California,
Tuesday, March 4th, 1952

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

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

The Minutes of the Regular Meetings of Tuesday, February 26th, 1952, and of Thursday, February 28th, 1952, were presented to the Council by the Clerk.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, the time set for the receiving of bids for the construction of Pacific Beach Vista Storm Drain, Pacific Beach, under Specification No. 220 (W.O. 20504), contained in Document No. 444617; the Clerk reported that ten bids had been received, which bids were presented to the Council. This was a City cash job.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of L. B. Butterfield, accompanied by a bond from the Maryland Casualty Company in the sum of 10% of the amount bid; which bid was given Document No. 445560;

The bid of Walter H. Barber, accompanied by a bond from the Hartford Accident and Indemnity Company, in the sum of Ten Percentum of the amount of the accompanying bid; which bid was given Document No. 445561;

The bid of Charles J. Dorfman, accompanied by a bond from the Peerless Casualty Company, in the sum of Ten Percent of the amount bid; which bid was given Document No. 445562;

At this time Councilmen Swan and Dail entered and took their places on the Council.

The bid of L. Castillo, accompanied by a bond from the United States Fidelity and Guaranty Company of Baltimore, in the sum of Ten Percent of Total Amount bid; which bid was given Document No. 445563;

The bid of H. H. Peterson, accompanied by a bond from the Massachusetts Bonding and Insurance Company, in the sum of Ten Percent of the total amount of the bid; which bid was given Document No. 445564;

The bid of R. E. Hazard Contracting Co., accompanied by a bond from the Pacific Indemnity Company, in the sum of Ten Percent of the amount bid; which was given Document No. 445565;

The bid of V. R. Dennis Construction Co., accompanied by a bond from the American Surety Company of New York, in the sum of 10% of the aggregate sum of the bid; which bid was given Document No. 445566;

The bid of R. A. Wattson Co., accompanied by a bond from the United Pacific Insurance Company, in the sum of Ten Per Cent of the aggregate sum of the Bid; which bid was given Document No. 445567;

The bid of Pace Construction Co., accompanied by a bond from the American Surety Company of New York, in the sum of 10% of the amount of Bid; which bid was given Document No. 445568;

The bid of Johnson Western Constructors, accompanied by a bond from the Fidelity and Deposit Company of Maryland, in the sum of Ten Percent of Bid; which bid was given Document No. 445569.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, the bids were referred to the City Manager and the City Attorney for report and recommendation.

At this time it was announced that bids called for under Item 2 of to-days Calendar, for the construction of sewer replacement from Pacific Beach Pumping Station Easterly, under Specification No. 222 (W.O. 20946), contained in Document No. 444619, would be opened in the office of the Purchasing Agent at the hour of 11:00 o'clock A.M. this date.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of the Alley in Block 67, Point Loma Heights, as described in Resolution of Intention No. 104943, the Clerk reported that five bids had been received, which bids were presented to the Council.

On motion, duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Al E. Riley, Inc., accompanied by a bond from the Fidelity and Casualty Company of New York in the sum of \$600.00; which bid was given Document No. 445572;

The bid of R. E. Hazard Contracting Co., accompanied by a bond from the Pacific Indemnity Company in the sum of \$450.00; which bid was given Document No. 445573;

The bid of V. R. Dennis Construction Co., accompanied by a bond from the American Surety Company of New York; which was in the sum of \$600.00; and which bid was given Document No. 445574;

The bid of John G. Henry, accompanied by a bond from The Fidelity and Casualty Company of New York, in the sum of \$500.00; which bid was given Document No. 445575;

The bid of T. B. Penick & Sons, accompanied by a bond from the Massachusetts Bonding and Insurance Company in the sum of \$500.00; which bid was given Document No. 445576;

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Swan, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Pynchon Street, between Logan Avenue and Ocean View Boulevard, as described in Resolution of Intention No. 104944, the Clerk reported that five bids had been received, which bids were presented to the Council.

On motion, duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Griffith Company, accompanied by a bond from the National Surety Corporation in the sum of \$3000.00; which bid was given Document No. 445577;

The bid of Daley Corporation, accompanied by a bond from the Glens Falls Indemnity Company in the sum of \$3000.00; which bid was given Document No. 445578;

The bid of R. E. Hazard Contracting Co., accompanied by a bond from the Pacific Indemnity Company in the sum of \$3100.00; which bid was given Document No. 445579;

The bid of V. R. Dennis Construction Co., accompanied by a bond from the American Surety Company of New York in the sum of \$3500.00; which bid was given Document No. 445580;

The bid of Cox Bros. Construction Co., accompanied by a bond from the Great American Indemnity Company in the sum of \$3000.00; which bid was given Document No. 445581;

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the construction of Murray Canyon Trunk Sewer from Mission Valley Road to the City Boundary, under drawings and specifications contained in Document No. 443752, the Clerk reported that ten bids had been received, which bids were presented to the Council.

On motion, duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Benedict & Benedict, Inc., accompanied by a bond from the United States Guarantee Company in the sum of 10% of the accompanying bid; which bid was given Document No. 445582;

The bid of L. B. Butterfield, accompanied by a bond from the Maryland Casualty Company in the sum of 10% of the amount of bid; which bid was given Document No. 445583;

The bid of Charles J. Dorfman, accompanied by a bond from the Peerless Casualty Company in the sum of Ten Percent of the Amount Bid; which bid was given Document No. 445584;

The bid of Walter H. Barber and H. R. Breeden, accompanied by a bond from the Hartford Accident and Indemnity Company in the sum of Ten Percentum of the amount of the accompanying bid; which bid was given Document No. 445585;

The bid of Drainage Construction Co. and James W. Huntley, accompanied by a bond from the United States Fidelity and Guaranty Company in the sum of Ten Percent of Total Amount bid; which bid was given Document No. 445586;

The bid of Beason & Taylor, accompanied by a bond from the Great American Indemnity Company of New York in the sum of \$15,000.00; which bid was given Document No. 445587;

The bid of J. S. Barrett, accompanied by a bond from the American Surety Company in the sum of ten per cent of the bid; which bid was given Document No. 445588;

The bid of Northwest Excavating Co., accompanied by a bond from the Saint Paul Mercury Indemnity Company in the sum of Ten Percent of the bid; which bid was given Document No. 445589;

The bid of William T. Reetz, accompanied by a bond from the Saint Paul Mercury Indemnity Company in the sum of Ten Percent of total amount bid; which bid was given Document No. 445590;

The bid of R. A. Wattson Co., accompanied by a bond from the United Pacific Insurance Company in the sum of Ten Per Cent of the Aggregate sum of the bid; which bid was given Document No. 445591.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock AM. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105360, for the paving and otherwise improving of the Alley in Block 40, Resubdivision of Blocks H and I, Teralta, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, RESOLUTION NO. 105684, recorded on Microfilm Roll No. 48, determining that the proposed improvement of paving and otherwise improving of the Alley in Block 40, Resubdivision of Blocks H and I, Teralta, within the limits and as particularly described in said Resolution, is feasible and that the lands to be assessed therefor

will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105361, for the paving and otherwise improving of the North and South Alley in Block 244, University Heights, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, Resolution No. 105685, recorded on Microfilm Roll No. 48, determining that the proposed improvement of paving and otherwise improving of the North and South Alley in Block 244, University Heights, within the limits and as particularly described in Resolution No. 105361, of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment; also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105362, for the paving and otherwise improving of the portion of Felspar Street, between Everts Street and Dawes Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, RESOLUTION NO. 105686, recorded on Microfilm Roll No. 48, determining that the proposed improvement of paving and otherwise improving of Felspar Street, between Everts Street and Dawes Street, within the limits and as particularly described in Resolution No. 105362, of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment; also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105363, for the paving and otherwise improving of Ingraham Street, between La Playa Avenue and the northerly line of Crown Point, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, RESOLUTION NO. 105687, recorded on Microfilm Roll No. 48, determining that the proposed improvement of paving and otherwise improving of Ingraham Street, between La Playa Avenue and the northerly line of Crown Point, within the limits and as particularly described in Resolution No. 105363, of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment; also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing in connection with a proposed Ordinance incorporating Lots 10 to 12, Block 5; Lots 7 to 12, Block 6; all of Block 11; Lots 1 to 3 and 10 to 12, Block 12, Lots 1 to 3, Block 13 and Lots 1 to 6, Block 14, Bayview Homestead, into "C" Zone, as defined by Section 101.0411 of the Municipal Code of The City of San Diego, all papers in connection with the matter were presented.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

ORDINANCE NO. 5087, New Series, recorded on Microfilm Roll No. 48, incorporating Lots 10 to 12, inclusive, Block 5; Lots 7 to 12, inclusive, Block 6; all of Block 11; Lots 1 to 3, inclusive, and 10 to 12, inclusive, Block 12; Lots 1 to 3, inclusive, Block 13 and Lots 1 to 6, inclusive, Block 14, Bayview Homestead, San Diego, California, into "C" Zone, as defined by Section 101.0411 of The Municipal Code of The City of San Diego, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing in connection with the proposed Ordinance incorporating Lots 1, 2 and 3, Euclid Manor; Lots 63, 64, 76, 77, 78 and 80 and portions of Lots 44, 75 and 79 in Las Alturas Villa Sites, in the City of San Diego, California, into "R-1" Zone as defined by Section 101.0405 of the Municipal Code of The City of San Diego, all papers in connection with the matter were presented.

Thereupon, the Mayor inquired if any interested persons were present who desired to be heard. No one appeared to be heard.

ORDINANCE NO. 5088, New Series, recorded on Microfilm Roll No. 48, incorporating Lots 1, 2 and 3, Euclid Manor; Lots 63, 64, 76, 77, 78, and 80 and portions of Lots 44, 75 and 79 in Las Alturas Villa Sites, in The City of San Diego, California, into "R-1" Zone as defined by Section 101.0405 of The Municipal Code of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing in connection with the proposed Ordinance incorporating all of Blocks D, E and F of Montecello in the City of San Diego, California, into "R-2" Zone as defined by Section 101.0406 of the Municipal Code of The City of San Diego, all papers in connection with the matter were presented.

Thereupon, the Mayor inquired if any interested persons were present who desired to be heard. No one appeared to be heard.

ORDINANCE NO. 5089, New Series, recorded on Microfilm Roll No. 48, incorporating all of Blocks D, E and F of Montecello in The City of San Diego, California, into "R-2" Zone as defined by Section 101.0406 of the Municipal Code of the City of San Diego, was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing in connection with the proposed Ordinance incorporating Lots 1 to 10, Block 185, Pacific Beach; Lots 1 to 10 and Lots 31 to 40, Block 162, Pacific Beach, San Diego, California, into "R-4" Zone, as defined by Section 101.0408 of the Municipal Code of the City of San Diego, all papers in connection with the matter were presented.

Thereupon, the Mayor inquired if any interested persons were present who desired to be heard. No one appeared to be heard.

ORDINANCE NO. 5090, New Series, recorded on Microfilm Roll No. 48, incorporating Lots 1 to 10, Inclusive, Block 185, Pacific Beach; Lots 1 to 10, inclusive and Lots 31 to 40, Inclusive, Block 162, Pacific Beach, San Diego, California, into "R-4" Zone as defined by Section 101.0408 of the Municipal Code of The City of San Diego, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Schneider, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing in connection with the proposed Ordinance incorporating a portion of Pueblo Lot 197, San Diego, California, into "R-2" Zone, as defined by Section 101.0406 of The Municipal Code of the City of San Diego, all papers in connection with the matter were presented.

Thereupon, the Mayor inquired if any interested persons were present who desired to be heard. No one appeared to be heard.

ORDINANCE NO. 5091, New Series, recorded on Microfilm Roll No. 48, incorporating a portion of Pueblo Lot 197, San Diego, California, into "R-2" Zone, as defined by Section 101.0406 of The Municipal Code of the City of San Diego, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing in connection with the proposed Ordinance incorporating a portion of Block I, and Lots 17 and 18, Block H, Redland Gardens Extension; Lot 29 Collwood Unit No. 1; portion of Lot 13, Redland Tract, into "R-1" Zone as defined by Section 101.0405 of the Municipal Code of the City of San Diego, all papers in connection with the matter were presented.

Thereupon, the Mayor inquired if any interested persons were present who desired to be heard. No one appeared to be heard.

ORDINANCE NO. 5092, New Series, recorded on Microfilm Roll No. 48, incorporating Lots 13 and 14, Block I, and Lots 17 and 18, Block H, Redland Gardens Extension; Lot 29, Collwood Unit No. 1; portion of Lot 13, Redland Tract, into "R-1" Zone,

as defined by Section 101.0405 of The Municipal Code of The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing in connection with the proposed Ordinance incorporating Lots 1 to 25, Block B, and Lots 1 to 11, Block C, all in Wells and Lane's Tecolote Heights, in the City of San Diego, into "R-2" Zone as defined by Section 101.0406 of the Municipal Code of the City of San Diego, all papers in connection with the matter were presented.

Thereupon, the Mayor inquired if any interested persons were present who desired to be heard. No one appeared to be heard.

ORDINANCE NO. 5093, New Series, recorded on Microfilm Roll No. 48, incorporating Lots 1 to 25, inclusive, Block B, and Lots 1 to 11, inclusive, Block C, all in Wells and Lane's Tecolote Heights in The City of San Diego, into "R-2" Zone as defined by Section 101.0406 of The Municipal Code of The City of San Diego, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Kerrigan, Wincote, Schneider, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

Communication from the Pacific Indemnity Company, reporting on the claim of Wendell J. O'Bryant; advising that this case was closed by the payment of \$152.32 on February 25th, 1952; was presented and on motion of Councilman Kerrigan, seconded by Councilman Wincote, ordered filed.

Communication from the Harbor Department submitting Resolution authorizing and approving tideland lease with Drake Steel Supply Company, for five-year period, with three five-year options to renew, was presented.

Judge Edgar A. Luce submitted a protest to the lease as proposed. Stated he did not appear before the Harbor Commission. He claimed the Drake Steel Supply Company was in Los Angeles, and the site of the lease on Harbor Drive, near 28th Street, was to be used for storage and sale of structural steel and related products.

The Mayor commented on the policy of the Harbor Commission and the feeling of competing companies. Comments were made by Councilmen Schneider, Wincote, Swan, Godfrey and Dail.

Deputy City Attorney Louis M. Karp stated that only leases of more than one year are subject to Council approval; that the Harbor Commission can execute one-year leases without Council approval.

After further discussion, on motion of Councilman Godfrey, seconded by Councilman Kerrigan, the matter was referred to a conference with the Council and the Harbor Commission, to be held next Tuesday, March 11th, 1952, at the hour of 9:00 o'clock A.M.

RESOLUTION NO. 105688, recorded on Microfilm Roll No. 68, approving plans, specifications, wage scale, etc. for the erection of garbage transfer station at Public Works lot on the northeast corner of Beardsley and Water Streets; the specifications being contained in Document No. 445470; authorizing and directing the Purchasing Agent to proceed to publish in accordance with law, notice to contractors calling for bids for said work; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, recommending that all bids received for furnishing asphalt; and that bid checks be returned, was presented.

RESOLUTION NO. 105689, recorded on Microfilm Roll No. 68, rejecting all bids received by the Purchasing Agent on January 24, 1952, for furnishing penetration paving asphalt, emulsified, and liquid asphalt; authorizing the return of all checks received with the bids to the bidders; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105690, recorded on Microfilm Roll No. 68, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with its requirements of 85-100 penetration paving asphalt, emulsified asphalt, and liquid asphalt, for a period beginning March 15, 1952, and ending March 14, 1953, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file under Document No. 445601, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission recommending adoption of a proposed ordinance incorporating Lots A to F, Block 231, Horton's Addition in The City of San Diego, California, into "R-4" Zone as defined by Ordinance No. 8924 of the Ordinances of said City and Amendments Thereto; and repealing Ordinance No. 3037 (New Series), adopted July 17, 1945, was presented and read.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was continued until the meeting of March 18th, 1952.

Communication from the City Planning Commission reporting on the appeal of Byron Christie from the decision of the Zoning Committee denying permission to convert existing garages to living quarters for the owner, making 4 units on lot with one unit having 4 foot access court, on Lot N, Block 168, Mission Beach, at 816-818 Ormond Court, in Zone R-4, was presented and read. The report stated, "they have worked out a satisfactory plan to take care of this matter".

RESOLUTION NO. 105691, recorded on Microfilm Roll No. 48, denying the appeal of Byron Christie, from the decision of the Zoning Committee in denying by its Resolution N. 6137, application No. 10220, for variance to the provisions of Ordinance No. 8924, to convert existing garages to living quarters for owner, making 4 units on lot with one unit having 4-foot access court on Lot N, Block 168, Mission Beach, at 816-818 Ormond Court, Zone R-4; and sustaining said Zoning Committee decision; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Manager recommending filing letter from Mr. A. Moranto regarding damage done to his property by City equipment during the storm in January was presented and on motion of Councilman Godfrey, seconded by Councilman Dail, ordered filed.

Communication from the City Manager recommending filing letter from F.W. Vogt opposing the use of fluorine in City water was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, ordered filed.

Communication from the City Engineer submitting plans and specifications for the installation of sewers in Paradise Hills was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, ordered filed.

Communication from the City Engineer, approved by the City Manager, recommending amending the proceedings for paving the Alley in Block 42, City Heights, was presented.

RESOLUTION NO. 105692, recorded on Microfilm Roll No. 48, adopting the recommendation of the City Engineer filed under Document No. 445428; authorizing said City Engineer to amend the proceedings for the improvement of the Alley in Block 42, City Heights, in accordance with said recommendation; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, approved by the City Manager, recommending amending proceedings for paving of Langley Street, between K Street and Island Avenue, was presented.

RESOLUTION NO. 105693, recorded on Microfilm Roll No. 48, adopting the recommendation of the City Engineer filed under Document No. 445429; authorizing said City Engineer to amend the proceedings for the improvement of Langley Street, between K Street and Island Avenue, in accordance with said recommendation; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, approved by the City Manager, recommending amending proceedings for paving the Alleys in Blocks 206 and 207, Mission Beach, was presented.

RESOLUTION NO. 105694, recorded on Microfilm Roll No. 48, adopting the recommendation of the City Engineer filed under Document No. 445427; authorizing said City Engineer to amend the proceedings for the improvement of the Alleys in Blocks 206 and 207, Mission Beach, in accordance with said recommendation; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Protest of Lamplighters of La Jolla about the existing hazard of the old Navy Bunkers in the Bird Rock area was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, referred to the City Manager.

Communication from Mrs. W. W. Goodman relative to streets teeming with stray Dogs was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, ordered filed.

At this time Councilman Godfrey was excused from the meeting.

RESOLUTION NO. 105695, recorded on Microfilm Roll No. 48, approving the plans and specifications contained in Document No. 445126, and plat of assessment district contained in document numbered Plat No. 2315, for the paving and otherwise improving of the Alley in Block 12, La Jolla Strand, between the southerly line of Rosemont Street and the northerly line of Palomar Avenue, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105696, recorded on Microfilm Roll No. 48, approving the plans and specifications contained in Document No. 445128; and approving Plat No. 2325, showing the exterior boundaries of the assessment district for paving El Carmel Place, between Ocean Front Walk and Bayside Walk; and Ocean Front Walk, between the westerly prolongations of the northerly and southerly lines of El Carmel Place; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105697, recorded on Microfilm Roll No. 48, approving the plans and specifications contained in Document No. 445124; and approving Plat No. 2329, showing the exterior boundaries of the district to be included in the assessment district for paving and otherwise improving of Frankfort Street, between Ingulf Street and Jellett Street; Erie Street, between Ingulf Street and Jellett Street; and Denver Street, between Ingulf Street and Jellett Street, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105698, recorded on Microfilm Roll No. 48, approving the plans and specifications contained in Document No. 445122; and approving Plat No. 2310, showing the exterior boundaries of the district to be included in the assessment district for the paving and otherwise improving of San Elijo Street, between Jenkins Street and Nichols Street, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105699, recorded on Microfilm Roll No. 48, directing notice inviting sealed proposals for the furnishing of electric current for lighting of the ornamental street lights in Eighth Avenue Lighting District No. 1, for the period of one year, from and including January 1, 1952, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105700, recorded on Microfilm Roll No. 48, directing notice inviting sealed proposals for the furnishing of electric current for lighting of the ornamental street lights in La Jolla Lighting District No. 1, for the period of one year, from and including January 1, 1952, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105701, recorded on Microfilm Roll No. 48, directing notice inviting sealed proposals for the furnishing of electric current for lighting of the ornamental street lights in Seventh Avenue Lighting District No. 1, for the period of one year, from and including January 1, 1952, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 105702, recorded on Microfilm Roll No. 48, for paving and otherwise improving of the Alley in Block 2, Ocean Beach, between the northwesterly line of Guizot Street and the southeasterly line of Froude Street; and for paving and otherwise improving of the Alley in Block 27, Ocean Beach, between the northwesterly line of Froude Street and the southeasterly line of Ebers Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 105703, recorded on Microfilm Roll No. 48, for paving and otherwise improving of E Street, between the westerly line of 30th Street and a line parallel to and distant 270.00 feet westerly from the westerly line of 30th Street; within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 105704, recorded on Microfilm Roll No. 48, for paving and otherwise improving of 51st Street, between the northerly line of Trojan Avenue and the southerly line of El Cajon Boulevard; and the Alley in Block 42, Tract 1368, between the northerly line of Trojan Avenue and the southerly line of El Cajon Boulevard; within the limits and as particularly described in said Resolution; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 105705, recorded on Microfilm Roll No. 48, for paving and otherwise improving of Locust Street, between the northeasterly line of Garrison Street and the southwestwesterly line of Keats Street; within the limits and as particularly described in said Resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 105706, recorded on Microfilm Roll No. 48, for the furnishing of electric current for the lighting of the ornamental streets in College Park Lighting District No. 1, for the period of one year from and including June 1, 1952, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 105707, recorded on Microfilm Roll No. 48, for the furnishing of electric current for the lighting of the ornamental street lights in Hermosa Lighting District No. 1, for the period of one year from and including May 1, 1952, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 105708, recorded on Microfilm Roll No. 48, for the furnishing of electric current for the lighting of the ornamental street lights in Kensington Manor Lighting District No. 1, for the period of one year from and including May 1, 1952, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 105709, recorded on Microfilm Roll No. 48, for the furnishing of electric current for the lighting of the ornamental street lights in Talmadge Park Lighting District No. 4, for the period of one year from and including March 31, 1952, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105710, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of the Alley in Block 12, La Jolla Strand, between the southerly line of Rosemond Street and the northerly line of Palomar Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105711, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of portions of El Carmel Place, between the easterly line of Ocean Front Walk and the westerly line of Bayside Walk; and a portion of Ocean Front Walk, between the westerly prolongations of the northerly and southerly lines of El Carmel Place; within the limits and as particularly described in said Resolution; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105712, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of Frankfort Street, between the southerly line of Ingulf Street and the northerly line of Jellett Street; Erie Street, between the southerly line of Ingulf Street and the northerly line of Jellett Street; and Denver Street, between the southerly line of Ingulf Street and the northerly line of Jellett Street; within the limits and as particularly described in said Resolution; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105713, recorded on Microfilm Roll No. 48, for paving and otherwise improving of portions of San Elijo Street, between the northerly line of Jenkins Street and the southerly line of Nichols Street; within the limits and as particularly described in said Resolution; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105714, recorded on Microfilm Roll No. 48, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the work of paving and otherwise improving of the Alley in Block 11, La Jolla Strand, between the easterly line of Vista Del Mar Avenue and the westerly line of La Jolla Boulevard; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105715, recorded on Microfilm Roll No. 48, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the work of paving and otherwise improving of the Northerly and Southerly Alley in Block 79, Subdivision of Acre Lots 12 to 15, inc., 39 to 41, inc., and portions of Acre Lots 16, 37, 45 and 46 and Blocks 150 and 151 of Pacific Beach; the Easterly and Westerly Alley in said Block 79 and Law Street; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105716, recorded on Microfilm Roll No. 48, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the work of paving and otherwise improving of Olivet Street, between the southerly line of Villa Tract La Jolla Park, and the southeasterly prolongation of the northeasterly line of Ivanhoe Avenue East; and Cabrillo Avenue, between the southerly line of Villa Tract La Jolla Park and the southerly line of Pearl Street; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105717, recorded on Microfilm Roll No. 48, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the work of paving and otherwise improving of Puterbaugh Street, between the northwesterly line of Pringle Street and a line parallel to and distant 240 feet northwesterly from the northwesterly line of Pringle Street, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105718, recorded on Microfilm Roll No. 48, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving the Alley in Block 3, Wilshire Place and Meade Avenue, within the limits and as particularly described in Resolution of Intention No. 104265, and to be assessed to pay the expenses thereof, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105719, recorded on Microfilm Roll No. 48, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving Palermo Drive and Aycott Street, as particularly described in Resolution of Intention No. 104266, and to be assessed to pay the expenses thereof; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105720, recorded on Microfilm Roll No. 48, accepting the license agreement executed by the Johns-Manville Sales Corporation of February 15, 1952, filed under Document No. 445382, agreeing to furnish 5100 feet 2" Transite conduit and 56 - 2" 90° 18" radius Transite conduit std. bends for the improvement of portions of Montezuma Road, Mary Lane Drive, Dorothy Drive, Rockford Drive and 63rd Street, in the City of San Diego, California, at the prices named in said license agreement, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105721, recorded on Microfilm Roll No. 48, accepting the license agreement executed by the Pacific Union Metal Company on March 3, 1952, filed under Document No. 445383, agreeing to furnish certain quantities of Union Metal Manufacturing Company street lighting standards, General Electric mercury vapor luminaires, ballasts, Novalux Luminaires and transformers; and Marbelite street lighting standards for the improvement of portions of Montezuma Road, Mary Lane Drive, Dorothy Drive, Rockford Drive and 63rd Street, in the City of San Diego, California, at the prices named in said license agreement; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

A proposed Resolution authorizing the Street Superintendent to grant Al E. Riley a 60-day extension of time for completion of contract for improvement of Alleys in Blocks 194 to 201, Mission Beach; to cover the collection period on the Assessment Roll; was presented, and on motion of Councilman Kerrigan, seconded by Councilman Schneider, referred back to the Street Superintendent, by Resolution No. 105722, recorded on Microfilm Roll No. 48.

RESOLUTION NO. 105723, recorded on Microfilm Roll No. 48, authorizing and empowering the City Manager to do all the work in connection with the construction of a rotary machine to clean filter media at each of the filter plants, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105724, recorded on Microfilm Roll No. 48, authorizing the City Manager to execute on behalf of The City of San Diego a modification of that certain lease agreement made on the 21st day of April, 1950, between The City of San Diego and the San Diego Symphony Orchestra Association, providing for the leasing of that portion of Balboa Park now known as Balboa Park Bowl, for the purpose of conducting therein for the entertainment of the people of The City of San Diego symphony musical programs, by changing said lease so that the Lessee shall not be required to pay a yearly rental in excess of an average of Two Hundred Dollars for each event produced by Lessee, and providing that the percentage rental shall be based only on the gross revenues received from the sale of admissions; etc.; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105725, recorded on Microfilm Roll No. 48, authorizing the City Manager to execute on behalf of The City of San Diego a modification of that certain lease agreement made on the 26th day of January, 1949, between The City of San Diego and the San Diego Civic Light Opera Association, Inc., providing for the leasing of that portion of Balboa Park known as Balboa Park Bowl for the purpose of conducting therein for the entertainment of the people of The City of San Diego with light opera productions by changing said lease so that Lessee shall not be required to pay a yearly rental in excess of an average of Two Hundred Dollars for each event produced by Lessee, and providing that the percentage rental shall be based only on the gross revenues received from the sale of the admissions; etc.; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105726, recorded on Microfilm Roll No. 48, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations in The City of San Diego:
33rd Street and Dwight Street;
Auburn Drive, approximately 600 feet south of Wightman Street;
Auburn Drive, approximately 1200 feet south of Wightman Street;
Gresham Street, at Graham Street.

RESOLUTION NO. 105727, recorded on Microfilm Roll No. 48, authorizing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at the intersection of Felton Street with Teresita Street, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105728, recorded on Microfilm Roll No. 48, granting permission to H. B. Browning, 4827 Castle Street, to remove 80 feet of curb on the easterly side of Boundary Street, between Lincoln and Polk Avenues, and to install two 40-foot driveways adjacent to Lots 10, 11 and 12, and a portion of Lots 13 and 14, Block 201, City Heights, to provide access to two four-car garages; said curbing to be removed and the driveways installed in accordance with all rules, regulations and ordinances of The City of San Diego governing the same; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105729, recorded on Microfilm Roll No. 48, granting permission to Frank J. Danna, 3746 Main Street, permission to remove the curb and widen the second driveway west of Woden Street, on the northerly side of Main Street, eight feet, so as to provide a 38-foot driveway, as measured at the top of the full-height curb, on the northerly side of Main Street, approximately between points 63 and 101 feet west of the west line of Woden Street, to provide access to service station; said curbing to be removed and the driveway widened in accordance with all rules, regulations and ordinances of the City of San Diego governing the same; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105730, recorded on Microfilm Roll No. 48, granting permission to J. B. Gjesfield, 6880 El Cajon Boulevard, to remove the curb and to install one

18-foot driveway and two 30-foot driveways, all as measured at the top of the full-height curb, on the west side of 69th Street, between points 12 and 30 feet, 52 and 82 feet, and 104 and 134 feet, respectively, north of the north property line of El Cajon Boulevard, adjacent to Lots 13 to 15, inclusive, Block 5, La Mesa Colony, to provide access to service stations; subject to conditions specified in said Resolution; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105731, recorded on Microfilm Roll No. 48, granting permission to San Diego Beach Co. to connect a twelve unit court located on Lots 3 to 10, and the southerly half of Lot 2, Block 261, Pacific Beach, to the City sewer with two common soil lines, six units to each line; subject to the approval of the City Manager and the Department Of Public Health of said City, and upon the express condition that The City of San Diego shall be held free and clear of any claim for damages by reason of the installation, operation and maintenance of said soil lines; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105732, recorded on Microfilm Roll No. 48, granting permission to the San Diego Unified School District (Johnson, Hatch & Wulff) to run an indirect waste line from sink in instructor's table in General Science Room of the Pacific Beach Junior High School Addition, and to use an acid resisting waste from both sinks in said General Science Room on the second floor of said Junior High School Addition, thence down to the pipe tunnel, and to connect the same to 6-inch cast iron sewer approximately 25 feet outside of said building, and to tie into said acid waste with additional cast iron waste; subject to the approval of the City Manager and the Department of Public Health of said City, and upon the express condition that the City of San Diego shall be held free and clear of any claim for damages by reason of the installation, operation and maintenance of said waste line; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105733, recorded on Microfilm Roll No. 48, granting permission to V. L. Jones, 532 North 32nd Street, to install a four-inch cast iron sewer line between the property line and the sidewalk; said sewer line to be placed 7 plus feet outside of the property line, and to run in a southerly direction, parallel to the easterly line of Lot 1, Block 113, E. W. Morse's Subdivision of Pueblo Lot 1150, to point of intersection with the public sewer; said proposed sewer to serve a structure at 3183 G Street; subject to approval of the City Manager and the Department of Public Health, and upon the express condition that the City of San Diego shall be held free and clear of any claim for damages by reason of the installation, operation and maintenance of said sewer line; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 5094, New Series, recorded on Microfilm Roll No. 48, Amending Section 63.02.2, Article 3, Chapter VI, of the Municipal Code of the City of San Diego, relative to Loose Animals Prohibited in Parks, etc., was on motion of Councilman Kerrigan, seconded by Councilman Dail, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Dail, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5095, New Series, recorded on Microfilm Roll No. 48, Appropriating the sum of \$8,700.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the construction of the Mission Boulevard Storm Drain, was on motion of Councilman Godfrey, seconded by Councilman Dail, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Dail, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Absent--None. Nays--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5096, New Series, recorded on Microfilm Roll No. 48, Changing the name of a portion of Magnolia Avenue to HURLBUT STREET, was on motion of Councilman Kerrigan, seconded by Councilman Dail, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5097 (New Series), recorded on Microfilm Roll No. 48, naming portions of Lots 39 and 40, Block 29, Fortuna Park, deeded to said City for street purposes, LAMONT STREET, was on motion of Councilman Godfrey, seconded by Councilman Dail, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Dail, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5098 (New Series), recorded on Microfilm Roll No. 48, dedicating land being portions of Lots 30, 31 and 32, in Block 3 of Vernon Park, portions of Pueblo Lot 284 and a portion of Lot "B" in Pueblo Lot 285 of the Pueblo Lands of San Diego acquired by said City for Street Purposes and naming the same MORENA BOULEVARD, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

A proposed Ordinance incorporating portions of Lots 1 and 2, Lemona, and portion of Pueblo Lots 1180 and 1189 of the Pueblo Lands of The City of San Diego, in the City of San Diego, California, into "CP" Zone, as defined by Chap. X, Art. 1, Div. 4 of the San Diego Municipal Code; and repealing Ordinance No. 3729 (New Series), adopted May 4, 1948, insofar as the same conflicts herewith, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, a hearing to consider the terms and provisions of this proposed Ordinance was set for Tuesday, March 18th, 1952, at the hour of 10:00 o'clock A.M.

Attorney Bill Maheedy spoke relative to a client's tract of land near National City, known as National Vista Tract, recently annexed to National City and which his client wished to become part of the City of San Diego.

He stated a resolution had been passed by the City of National City permitting them to withdraw the property from the City limits.

He requested early action to San Diego officials to bring this uninhabited acreage into San Diego, so that water could be secured to serve said property.

On motion of Councilman Wincote, seconded by Councilman Schneider, the matter was referred to the City Manager.

Mr. Robert J. McPherson was given an opportunity to address the Council relative to converting sea water into fresh water; as requested in his letter dated February 18th, 1952.

His opening statement was to the effect that Lake Meade will be a mud flat at no great distant date, due to the large amount of silt being dumped into it by the Colorado River. He stated that the average consumer is paying from \$103.00 to \$109.00 per acre foot of water delivered to his premises. He claimed the best present equipment will convert salt water to fresh water for from \$83.00 to \$100.00 per acre foot. He mentioned valuable bi-products including magnesium, common salt, iodine, etc. available in sea water. By proper processing, and the sale of these bi-products he claimed that it will soon be "possible to produce fresh water from the Ocean for nothing".

Mr. McPherson expressed himself as opposing the Feather River water development as being too expensive. He submitted leaflets headed, "Description and costs of Mechanical Equipment Company units" which were filed. These leaflets purported to show that with present equipment available distilled water could be produced in quantity for a cost of \$0.001462 per gallon, etc.

At the conclusion of Mr. McPherson's remarks the Council proceeded to take up the next item of business.

RESOLUTION NO. 105734, recorded on Microfilm Roll No. 48, authorizing and directing the City Manager to enter into an option and contract to purchase with Justine B. Fenton, wherein the said Justine B. Fenton agrees to sell to the City at its option to be exercised on or before May 1, 1952, the lands located in the San Pasqual Valley known as the Fenton Ranch, a more particular description of which is contained in the for of option and contract on file in the office of the City Clerk as Document No. 445558, in accordance with the terms and conditions therein set forth, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105735, recorded on Microfilm Roll No. 48, authorizing and empowering the City Manager to enter into and execute for and on behalf of The City of San Diego an amendment to the lease agreement for the operation of the Mission Beach Amusement Center, filed as Document No. 368575, with Warner Austin, Roy E. Matheson and Roy J. Hurd, a Co-partnership, which said amendment shall provide for a revision of Sections 2 and 3 of said lease, and the addition of a new section, numbered 3 (b) to provide for a rental of fifty (50) per cent of the receipts for the building housing the skating rink, all in accordance with the terms of the amendment filed as Document No. 445570; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

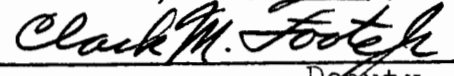
RESOLUTION NO. 105736, recorded on Microfilm Roll No. 48, authorizing the City Manager to enter into a contract with W. B. Melhorn for the restoration of the roller skating rink at the Mission Beach Amusement Center, according to the plans and specifications on file in the office of the City Manager, provided that the cost to said City of said restoration shall not exceed the sum of \$8,130.00; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 11:45 o'clock A.M., on motion of Councilman Dail, seconded by Councilman Godfrey.


 Mayor of The City of San Diego, California

ATTEST:

FRED W. SICK, City Clerk,

By 
 Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
 Thursday, March 6th, 1952

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:05 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
 Mayor Butler.

Absent----None.

Clerk-----Fred W. Sick.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing relative to a proposed Ordinance incorporating portions of El Cerrito Terrace No. 2 and portions of La Mesa Colony into an "R-2" Zone and an "R-4" Zone, as defined by Chapter X, Article 1, Division 4 of The San Diego Municipal Code, and repealing conflicting Ordinances, all papers in connection with the matter were presented.

Thereupon, the Mayor inquired if any interested persons were present who desired to be heard.

No protests, written or oral, were presented.

All interested persons having been heard, ORDINANCE NO. 5099, New Series, recorded on Microfilm Roll No. 48, Incorporating Lots 32 to 43, inclusive, and a portion of Lot 44, El Cerrito Terrace No. 2, and a portion of Lot 7, La Mesa Colony, in The City of San Diego, California, into an "R-2" Zone and an "R-4" Zone, as defined by Chapter X, Article 1, Division 4 of the San Diego Municipal Code; and repealing Ordinance No. 13558, adopted July 5, 1932, insofar as the same conflicts therewith, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

Petition for the annexation of territory designated as Las Alturas Villa Sites, Tract No. 2, containing a full metes and bounds description, and accompanied by a certificate from the City Clerk to the effect that the petition is sufficient as to the number of signatures required by law, was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, the petition and accompanying papers were referred to the City Manager.

Petition of United Spanish War Veterans for permission to conduct the third annual carnation sale on May 9th and 10th, 1952, was presented and on motion of Councilman Kerrigan, seconded by Councilman Wincote, referred to the City Manager.

Claim of Harold H. Berry, based on damage to his automobile, in the sum of \$5.00, was presented.

RESOLUTION NO. 105737, recorded on Microfilm Roll No. 48, referring the claim of Harold H. Berry, contained in Document No. 445596, to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Claim of Florence M. Fitzpatrick, based on broken window near the Ocean Beach Recreation Center, in the sum of \$6.00, was presented.

RESOLUTION NO. 105738, recorded on Microfilm Roll No. 48, referring the claim of Florence M. Fitzpatrick, contained in Document No. 445535, to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission recommending suspension of four sections of the Subdivision Ordinance relative to the Tentative Map of Belleview Heights, Unit No.7, was presented.

RESOLUTION NO. 105739, recorded on Microfilm Roll No.48, suspending sections 3I2, 4A8 & 6 and Section 5C of the Subdivision Ordinance, relative to the Tentative Map of Belleview Heights, Unit No.7, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission recommending approval of the Tentative Map of Belleview Heights Unit No.7, subject to ten conditions, was presented.

RESOLUTION NO. 105740, recorded on Microfilm Roll No. 48, approving the Tentative Map of Belleview Heights Unit No. 7, a subdivision of 17 lots located northerly of University Avenue and immediately west of 60th Street, subject to ten conditions fully set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission submitting Resolution amending Resolution No. 104387, approving the Tentative Map of Churchward Heights Subdivision, relative to curbing, etc., was presented.

RESOLUTION NO. 105741, recorded on Microfilm Roll No. 48, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted, amending Resolution No. 104387 approving the Tentative Map of Churchward Heights subdivision, in so far as condition No. 4 is concerned, as follows:

4. That Type G Portland cement curbs (Dwg. 9-S-F) be installed on both sides of all interior streets and on the curb returns in Churchward Street. Said curbs shall be set 10 feet from the property line to give a 36 foot curb to curb width on the 56 foot streets, and shall have a radii of 30 feet on the two semi turnarounds on Dream Street.

RESOLUTION NO. 105742, recorded on Microfilm Roll No. 48, authorizing and directing the City Manager, for and on behalf of The City of San Diego, a contract with O. D. Arnold & Sons, a partnership, for the installation and completion of the unfinished improvements and the setting of the monuments required for said O. D. Arnold's Westwood Hills Unit No.6; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105743, recorded on Microfilm Roll No.48, adopting the map of O. D. Arnold's Westwood Hills Unit No.6, and accepting public streets and unnamed easements therein, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Communication from the City Manager recommending granting petition for the annexation of Uninhabited Territory designated as Alvarado Tract Unit No. 2, was presented. The property is located southerly of Alvarado Freeway, northerly of Montezuma Road and easterly of the subdivision of Kensington.

RESOLUTION NO. 105744, recorded on Microfilm Roll No.48, granting permission to the Alvarado Community Association and the Union Title Insurance and Trust Company to start annexation proceedings under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, for the annexation of Alvarado Tract Unit No. 2, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the City Auditor requesting a Charter Amendment that would more clearly set forth the basis on which expenditures may be made for promotional and advertising purposes was presented.

On motion of Councilman Dail, seconded by Councilman Schneider, RESOLUTION NO. 105745, recorded on Microfilm Roll No. 48, referring this communication to Council Conference, was adopted.

Resolution of Bird Rock Elementary P.T.A. requesting complete removal of Navy Anti-aircraft concrete emplacements at Bird Rock was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed.

Communication from Edgar W. Hebert urging the rehabilitation of Casa de Lopez at Old Town was presented and on motion of Councilman Godfrey, seconded by Councilman Swan, referred to the City Manager.

Communication from the Pacific Indemnity Company reporting on the claim of Mrs. Elizabeth Budrow, advising this case was closed by payment of \$5.00, was presented and on motion of Councilman Godfrey, seconded by Councilman Dail, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of L. B. Butterfield, advising that this case was closed by payment of \$365.00, was presented and on motion of Councilman Godfrey, seconded by Councilman Dail, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Ralph A. Keisler, advising that this case was closed by payment of \$10.00, was presented and on motion of Councilman Godfrey, seconded by Councilman Dail, ordered filed.

RESOLUTION NO. 105746, recorded on Microfilm Roll No. 48, authorizing and directing the Purchasing Agent to advertise for sale and sell the cabins described as:

Cabins numbered 1525, 1526, 1527, 1529, 1530, 1531 and 1532, located at the Lower Otay Recreation area;

Cabins numbered 3316, 3317, 3327, 3328, 3329, 3330 and 3331, located at San Bernardo Bridge, in the Lake Hodges Recreation area; said cabins to be moved by the purchasers; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105747, recorded on Microfilm Roll No. 48, giving notice of the proposed Annexation to The City of San Diego of portions of County Road known as relocation of Route 3, Division 3, and County Road Survey No. 341, in Lot 72 of Rancho Mission of San Diego, in The County of San Diego, State of California, to be known and designated as "Murphy Canyon Road Tract", was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105748, recorded on Microfilm Roll No. 48, rescinding Resolution No. 105658, adopted February 26, 1952, which awarded a printing contract to Neyenesch Printers, Inc., insofar as the terms of that resolution conflict with the terms of this resolution; awarding the contract for printing and furnishing of 1500 copies of the San Diego Municipal Code, individually wrapped, less binders, to Neyenesch Printers, Inc. for the sum of \$2.37 per book for 448-page books, and the sum of \$7.93 per page for each page more or less than 448 pages; awarding to Neyenesch Printers, Inc., the contract for the printing of extra pages, both sides, during the year following the initial printing, for the sum of \$20.00 per sheet printed two sides, in the quantity of 1500 copies; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105749, recorded on Microfilm Roll No. 48, granting permission to M. E. Silva, 3033 Fenelon Street, to remove 35 feet of curb on the southerly side of Fenelon Street, approximately between points 55 and 90 feet east of the east line of Locust Street, and to install a driveway adjacent to Lot 11, Block 47, Roseville, to provide access to a four-car garage; said curbing to be removed and the driveway installed in accordance with all rules, regulations and ordinances of The City of San Diego governing the same; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105750, recorded on Microfilm Roll No. 48, relative to the employment of a Superintendent of the San Diego City and County Administration Building and Grounds; consenting to the employment by the County of San Diego of the incumbent of said position, etc.; providing that consent may be withdrawn by resolution of the City Council and 30 days' notice of the withdrawal of such consent to the Clerk of the Board of Supervisors of the County of San Diego; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105751, recorded on Microfilm Roll No. 48, authorizing and directing the City Auditor to forthwith deposit the sum of \$21,000.00 in a reputable San Diego bank to the credit of Vernon L. Miller, Special Census Supervisor of the United States Government; to pay the necessary compensation and expenses of employees of the Census Department during the taking of a special census; was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105752, recorded on Microfilm Roll No. 48, accepting the deed of Evelyn Lee Chang, Kenneth N. Rader and Emma Rader, executed in favor of The City of San Diego, conveying to said City a portion of Lot C, Loma Alta No. 2, according to Map thereof No. 1082; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105753, recorded on Microfilm Roll No. 48, accepting the deed of Chris A. Cosgrove and Celia C. Cosgrove, executed in favor of The City of San Diego, conveying to said City portions of Pueblo Lot 1152 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department, for recording when escrow instructions have been complied with; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105754, recorded on Microfilm Roll No. 48, accepting the deed of Kenneth N. Rader and Emma Rader, executed in favor of The City of San Diego, conveying to said City a portion of Pueblo Lot 205 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department, for recording when escrow instructions have been complied with; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105755, recorded on Microfilm Roll No. 48, accepting the deed of George Charles Weigelt, executed in favor of The City of San Diego, conveying to said City a portion of Lot 2, Block "D", Home Gardens, according to Map thereof No. 2000;

Authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105756, recorded on Microfilm Roll No. 48, accepting the deed of Robert P. Jennings, Alice B. Jennings, Ruth E. Jennings and Paul R. Jennings, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 3, Ex-Mission Lands of San Diego, according to Map thereof No. 283; setting aside and dedicating to the public use as and for a public street the land therein conveyed; naming the same Clematis Street; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105757, recorded on Microfilm Roll No. 48, accepting the deed of Evelyn Lee Chang, Kenneth N. Rader and Emma Rader, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes, through, along and across a portion of Lot C, Loma Alta No. 2, according to Map thereof No. 1082; setting aside and dedicating to the public use as and for a public street the land therein conveyed; and naming the same Famosa Boulevard; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105758, recorded on Microfilm Roll No. 48, accepting the deed of Kenneth N. Rader, Emma Rader and Evelyn Lee Chang, executed in favor of the City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot C, Loma Alta No. 2, according to Map thereof No. 1082; setting aside and dedicating to the public use as and for a public street, the lands therein conveyed; and naming the same Prince Street; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department, for recording when escrow instructions have been complied with; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105759, recorded on Microfilm Roll No. 48, accepting the deed of Kenneth N. Rader, Emma Rader and Evelyn Lee Chang, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot C, Loma Alta No. 2 and a portion of Pueblo Lot 211 (formerly Blocks 19 and 20, Loma Alta No. 2), of the Pueblo Lands of San Diego; setting aside and dedicating to the public use as and for a public street the lands therein conveyed; and naming the same West Point Loma Boulevard; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department, for recording when escrow instructions have been complied with; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105760, recorded on Microfilm Roll No. 48, accepting the deed of Leon S. Ertle and Enid J. Ertle, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 26, Block 1, Sterling Park Addition, according to Map thereof No. 1260; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105761, recorded on Microfilm Roll No. 48, accepting the deed of Solon S. Kipp and Della A. Kipp, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Pueblo Lot 1201, unnumbered on Miscellaneous Map No. 36, of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105762, recorded on Microfilm Roll No. 48, accepting the deed of Harry J. Monte and Bettie Monte, executed in favor of The City of San Diego, conveying to the City an easement and right of way for sewer purposes through, along and across a portion of Lot 28, Block "A" of Resubdivision of Villa Lots 1 to 11, inclusive, Normal Heights, according to Map thereof No. 1155; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105763, recorded on Microfilm Roll No. 48, accepting the deed of Union Title Insurance and Trust Company, a corporation, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Pueblo Lot 1202 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in the year 1870; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105764, recorded on Microfilm Roll No. 48, accepting the deed of Allan H. Carry and Florence M. Reach Carry, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 10, Block 9, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105765, recorded on Microfilm Roll No. 48, accepting the deed of William G. Crutchfield and Augustine Crutchfield, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 8, Block 4, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105766, recorded on Microfilm Roll No. 48, accepting the deed of Joseph Ellingson and Edna Ellingson, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 6, Block 19, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105767, recorded on Microfilm Roll No. 48, accepting the deed of Joseph J. Fromlath and Mae Jean Fromlath, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 16, Block 14, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105768, recorded on Microfilm Roll No. 48, accepting the deed of Harlin P. Kermicle and Beulah A. Kermicle, conveying to the City an easement and right of way for storm drain purposes through, along and across a portion of Lot 5, Block 5, Paradise Hills, according to Map thereof filed in the Office of the Recorder of San Diego County; authorizing and directing the City Clerk to file the said of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105769, recorded on Microfilm Roll No. 48, accepting the deed of George G. Kivett and Mary V. Kivett, executed in favor of The City of San Diego, conveying to the City an easement and right of way for storm drain purposes through, along and across a portion of Lot 5, Block 4, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County; together with a certified copy of this Resolution; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105770, recorded on Microfilm Roll No. 48, accepting the deed of Bonham Davis Large and Nawana P. Large, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lots 5 and 6, Block 5, Paradise Hills, according to Map thereof No. 1936; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

ORDINANCE NO. 5100, New Series, recorded on Microfilm Roll No. 48, establishing the grade of the Alley in Block B, Cornish Heights, in the City of San Diego, California, according to Map No. 1962, on file in the office of the County Recorder of San Diego County, California, between the northerly line of La Paloma Street and the southwesterly line of Point Loma Avenue, was on motion of Councilman Dail, seconded by Councilman Swan, passed and adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

The foregoing ordinance was not finally passed until it had been read on two separate calendar days of the Council, to-wit: on the 28th day of February, 1952, and on the 6th day of March, 1952.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5101, New Series, recorded on Microfilm Roll No. 48, establishing the grade of the Alley in Block 3, Loma View and the Alley lying southerly of and contiguous to Lots 1 to 10, Point Loma Highlands; in The City of San Diego, California, according to Maps Nos. 1095 and 2471 respectively, on file in the office of the County Recorder of San Diego County, California, between the westerly line of Silvergate Avenue and the easterly line of Catalina Boulevard, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, passed and adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

The foregoing ordinance was not finally passed until it had been read on two separate calendar days of the Council, to-wit: on the 28th day of February, 1952, and on the 6th day of March, 1952.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5102, New Series, recorded on Microfilm Roll No. 48, establishing the grade of Boundary Street, in The City of San Diego, California, between the northerly line of Hilltop Drive and the westerly prolongation of the northerly line of Market Street, was on motion of Councilman Dail, seconded by Councilman Wincote, passed and adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

The foregoing ordinance was not finally passed until it had been read on two separate calendar days of the Council, to-wit: on the 28th day of February, 1952, and on the 6th day of March, 1952.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5103, New Series, recorded on Microfilm Roll No. 48, establishing the grade of Burgener Boulevard, in The City of San Diego, California, between the southerly line of July Street and the northwesterly line of September Street, was on motion of Councilman Dail, seconded by Councilman Godfrey, passed and adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

The foregoing ordinance was not finally passed until it had been read on two separate calendar days of the Council, to-wit: on the 28th day of February, 1952, and on the 6th day of March, 1952.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

By unanimous consent, on request of the City Manager, RESOLUTION NO. 105771, recorded on Microfilm Roll No. 48, authorizing Roy E. Butler and Frederick C. Whitney, of the Civil Defense Office, to attend a civil defense meeting with General Robertson, State Coordinator of Civil Defense, to be held in Sacramento on March 12, 1952, for the purpose of co-ordinating the time and manner of showing the Freedom Foundation's show "Alert America," in the three target areas of California; authorizing them to incur all necessary expenses in connection with said trip; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

By unanimous consent, on request of the City Manager, the matter of establishing one-way streets in the downtown section was considered at this time.

Traffic Engineer James E. Reading reported orally on the plan for the establishment of one-way streets. He said the suggestion met with approval of groups, and that there was an almost universal acceptance of the plan. He stated there have been some individual objections. For example, the owner of property at 5th and G Streets (the old City Hall property) objected to the taking of south-bound buses off Fifth Avenue and sending them down 4th Avenue; which would hurt established business establishments. Mr. Reading said Fifth Avenue could be left as a two-way street.

Mr. Reading favored a gridiron system --- one-way streets in all directions; eliminating left turns. The idea is not yet ready for a public hearing, according to Mr. Reading.

Councilman Dail spoke in favor of an early hearing before the Council.

After further discussion, RESOLUTION NO. 105772, recorded on Microfilm Roll No. 48, authorizing and directing the City Attorney and the Traffic Engineer to prepare an ordinance to establish one-way streets in all directions in the downtown area; with Fifth Avenue to be left as a two-way street; setting a hearing to consider the terms and provisions of this proposed Ordinance for Tuesday, April 8th, 1952, at the hour of 2:00 o'clock P.M.; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Swan brought up the matter of development of Clairemont and other subdivisions. He made a motion to the effect that the City Manager be requested to report on the working out of conditions imposed by the City Council on the subdividers. This motion did not receive a second.

The City Manager stated orally that the conditions imposed in connection with the filing of new subdivision maps are being met. He spoke of the drainage problems; isolated subdivisions with access problems; etc.

The inspections made by the Building Department were questioned by Mr. Swan; who stated he wanted the home owners protected.

Glenn Rick discussed the City Inspections; and mentioned that the compacting of land for City Streets and Alleys was required by the City, but that such work could not be secured by the City inside the lot lines.

The matter was thoroughly discussed by individual Councilmen. The heavy erosion from new subdivisions, especially east of Morena Boulevard, was considered.

Councilman Swan suggested that the City should supervise the work more closely, and take more interest in private building contracts.

No definite action was taken.

There being no further business to come before the meeting; on motion of Councilman Schneider, seconded by Councilman Kerrigan, the meeting was adjourned, at the hour of 10:40 o'clock A.M.

(ATTEST) FRED W. SICK, City Clerk,

By

Clark M. Foot
Deputy.

John D. Butler
Mayor of the City of San Diego, California.

105771--105772
5102-5103 N.S.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, March 11th, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:05 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
Mayor Butler.

Absent----None.

Clerk-----Fred W. Sick.

On motion of Councilman Dail, seconded by Councilman Swan, the minutes of the Regular Meeting of Tuesday, March 4th, 1952, and the Regular Meeting of Thursday, March 6th, 1952, were approved without being read, after which they were signed by the Mayor.

A delegation of about thirty-six students from the Lincoln Junior High School attended the Council Meeting. They represented the student government; the legislature representing all grades; and the Student Body Officers. The teacher in charge was Mr. Palash.

The delegation stood in response to the Mayor's introduction. He explained the procedure used at the Council meetings, and invited all the students to visit the Mayor's office after the meeting.

At this time the Mayor presented service pins to the following City employees:

Wm. T. Gidney, Blacksmith Foreman, Division of Shops, Public Works Division, 20 years' service;

Joseph A. Gordon, Machinist Foreman, Division of Shops, Public Works; 25 years' service;

Abundio R. Leyva, Construction and Maintenance Man, Division of Streets, Public Works, 35 years' service;

Berry T. Williams, Custodian, Division of Public Buildings, Public Works; 30 years' service.

A. E. Jansen, Chief of Police, 20 years' service.

At this time Councilman Dail was excused from the meeting.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 105355, for the paving and otherwise improving of Rex Avenue, Shiloh Road, Wightman Street, Public Rights of Way in Lots 9 and 10, Block 3, Berkeley Heights; within the limits and as particularly described in said Resolution; the Clerk reported that a written protest had been received from Albert Pondelick, which was presented and read.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

All interested persons having been heard, RESOLUTION NO. 105784, recorded on Microfilm Roll No. 48, overruling the protest of Albert Ponderlick, contained in Document No. 445862, and overruling all other protests, against the paving and otherwise improving of Rex Avenue, Shiloh Road, Wightman Street, Public Rights of Way in Lots 9 and 10, Block 3, Berkeley Heights, under Resolution of Intention No. 105355, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 105354, for the paving and otherwise improving of the Alley in Block F, Referee's partition Map of East One-half of Pueblo Lot 1110; within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Wincote, seconded by Councilman Schneider, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 20554, made to cover the costs and expenses of paving and otherwise improving of Riley Street, between Jefferson and Congress Streets, under Resolution of Intention No. 102629, the Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

All interested persons having been heard, RESOLUTION NO. 105773, recorded on Microfilm Roll No. 48, confirming and approving the Street Superintendent's Assessment No. 2054, made to cover the cost and expenses of the paving and otherwise improving of Riley Street, between Jefferson and Congress Streets, under Resolution of Intention No. 102629; authorizing and directing the said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; and to record said warrant, diagram and assessment; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2055, made to cover the costs and expenses of the paving and otherwise improving of the Alleys in Block 69, Ocean Beach, under Resolution of Intention No. 101713, the City Clerk reported that a written appeal had been received from Effie W. MacLachlan; which appeal was read.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no further written protests or appeals were presented.

All interested persons having been heard, RESOLUTION NO. 105774, recorded on Microfilm Roll No. 48, overruling and denying the appeal of Effie W. MacLachlan, filed under Document No. 445701, from the Street Superintendent's Assessment No. 2055, made to cover the costs and expenses of the work of paving and otherwise improving of the Alleys in Block 69, Ocean Beach, under Resolution of Intention No. 101713; overruling and denying all other appeals, written or verbal; confirming and approving the Street Superintendent's Assessment No. 2055; authorizing and directing said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; and to record said warrant, diagram and assessment; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

At this time Councilman Dail returned and took his place on the Council.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105451, for the paving and otherwise improving of Island Avenue, between Front Street and Union Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, Resolution No. 105775, recorded on Microfilm Roll No. 48, determining that the proposed improvement of paving and otherwise improving of Island Avenue, between Front Street and Union Street, within the limits and as particularly described in Resolution No. 105451, of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment; also finding and determining that the public convenience and necessity require the proposed improvements; and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set to consider the terms and provisions of a proposed Ordinance incorporating the West 190 Feet of the South 270 Feet of Lot 15, La Mesa Colony, in The City of San Diego, California, into "R-2" Zone, all papers in connection with the matter were presented.

Thereupon, the Mayor inquired if any interested persons were present who desired to be heard. No one appeared to be heard.

ORDINANCE NO. 5104, New Series, recorded on Microfilm Roll No. 48, incorporating the West 190 Feet of the South 270 Feet of Lot 15, La Mesa Colony, in The City of San Diego, California, into "R-2" Zone, as defined by Chapter X, Article 1, Division 4 of the San Diego Municipal Code; Repealing Ordinance No. 13558, adopted July 5, 1932, insofar as the same conflicts therewith, was on motion of Councilman Kerrigan, seconded by Councilman Swan, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

The hour of 10:00 o'clock A.M. having arrived, the time set to consider the terms of A proposed Ordinance incorporating portions of Pueblo Lots 1202 and 1203 in the City of San Diego, California, into an "R-1" Zone, "R-2" Zone and "R-4" Zone, as defined by Chapter X, Article 1, Division 4 of the San Diego Municipal Code; Repealing Ordinance No. 13457 and Ordinance No. 3907 (New Series), adopted February 15, 1932 and October 26, 1948, insofar as the same conflicts therewith, was presented.

At the request of Glenn Rick, the hearing in connection with this proposed Ordinance was continued until the hour of 10:00 A.M. on Tuesday, March 25th, 1952.

Amended Claim of Charles David Burnett, based on fall on premises under the control of the Fine Arts Society, in the sum of \$309.00, was presented.

RESOLUTION NO. 105776, recorded on Microfilm Roll No. 48, referring the claim of Charles David Burnett, contained in Document No. 445635, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Eric J. Espinoza, based on flood damage to property at 1350 Lehigh Street, was presented.

RESOLUTION NO. 105777, recorded on Microfilm Roll No. 48, referring the claim of Eric J. Espinoza, contained in Document No. 445719, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Harbor Department submitting Resolution authorizing and approving tideland lease with Drake Steel Supply Company, for a five-year period, with three five-year options to renew, was again presented; having been continued from the meeting of March 4th, 1952.

Councilman Wincote suggested that this lease be amended to allow the sale of miscellaneous hardware.

Deputy City Attorney Louis M. Karp stated that a list of items to be sold was on file.

RESOLUTION NO. 105778, recorded on Microfilm Roll No. 48, ratifying, confirming and approving a lease of certain tidelands with Drake Steel Supply Company, for a period of five years, with three five-year options to renew, upon the terms and conditions contained in the form of Lease, a copy of which is on file in the office of the City Clerk under Document No. 445387, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids received for furnishing and installing of traffic signals and safety lighting at Mission Valley Road and Sand Rock Grade, was presented. (2 bidders)

RESOLUTION NO. 105779, recorded on Microfilm Roll No. 48, accepting the bid of California Electric Works for furnishing and installing traffic signals and safety lighting at Mission Valley Road and Sand Rock Grade, for the City of San Diego, for the sum of \$11,744.00; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids received for furnishing reinforced concrete cylinder pipe and appurtenances for the Oregon Street pipe line replacement, was presented. (two bidders)

RESOLUTION NO. 105780, recorded on Microfilm Roll No. 48, accepting the bid of American Pipe & Construction Company of San Diego for furnishing reinforced concrete cylinder pipe and appurtenances for the Oregon Street pipe line replacement for the City of San Diego, for the sum of \$33,162.80 plus State Sales Tax; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids received for the construction of sewer replacement from Pacific Beach pumping Station easterly, from six bidders, was presented.

RESOLUTION NO. 105781, recorded on Microfilm Roll No. 48, accepting the bid of Charles J. Dorfman for the construction of sewer replacement from Pacific Beach Pumping Station easterly for The City of San Diego, for the sum of \$26,962.00; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on ten bids received for the construction of Murray Canyon Trunk Sewer from Mission Valley Road to the City Boundary, by City Contract, was presented.

At the request of the City Manager a proposed Resolution accepting the bid of Beason & Taylor for said work was continued for an indefinite period. It was stated that part of the cost, to be paid by private property owners, had not as yet been deposited with the City.

RESOLUTION NO. 105782, recorded on Microfilm Roll No. 48, approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of Azure Vista Pump Station and pressure line, filed under Document No. 445854; approving the wage scale contained in said specifications; authorizing and directing the Purchasing Agent to proceed to publish in accordance with law, notice to contractors calling for bids for said work, in accordance with the plans and specifications referred to; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, approved by the City Manager, reporting on ten bids received for the construction of the Pacific Beach Vista Storm Drain, Pacific Beach, by City Contract, was presented.

RESOLUTION NO. 105783, recorded on Microfilm Roll No. 48, accepting the bid of R. A. Wattson & Sons for the construction of the Pacific Beach Vista Storm Drain, Pacific Beach, at the unit prices which amount to a total estimated sum of \$43,680.50; authorizing the City Manager to execute a contract for said work; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(For Resolution No. 105784, see page 466 of these minutes.)

RESOLUTION NO. 105785, recorded on Microfilm Roll No. 48, granting the application of Cecil N. Bowen for a Class A license to conduct public dance at Carl's Dine and Dance, 455 - 16th Street, on premises where intoxicating liquor is sold; subject to compliance with existing ordinances and regulations; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105786, recorded on Microfilm Roll No. 48, granting permission to Robert Johnson to conduct a cabaret with paid entertainment at the Palace Buffet, 328 F Street, where liquor is sold but no dancing conducted; subject to the regular license fee, and to compliance with existing regulations; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission reporting on the appeal of Elmer and Mary Valle from the decision of the Zoning Committee denying permission to divide a portion of Lot 12, La Mesa Colony into 4 lots and construct a single family residence on each parcel, at 5115-63rd Street, in Zone R-1, was presented and read.

RESOLUTION NO. 105787, recorded on Microfilm Roll No. 48, was on motion of Councilman Dail, seconded by Councilman Swan, adopted, sustaining the appeal of Elmer Valle and Mary Valle, 5115 - 63rd Street, from the decision of the Zoning Committee in denying by its Resolution No. 5956, application No. 9144, for variance to the provisions of Ordinance No. 13558, to divide a portion of Lot 12, La Mesa Colony, into 4 lots and construct a single family residence on each parcel, in Zone R-1; according to the Record of Survey; on the following conditions:

1. The acceptance and dedication of a 10-foot strip fronting the property on 63rd Street;
2. The acceptance of improvements by the City Engineer;
3. Subject to the filing of the Record of Survey of the four lots.

This Resolution overruled the decision of the Zoning Committee.

Communication from the Civil Service Commission requesting authorization for the Personnel Director to take a trip to San Jose, California, was presented.

RESOLUTION NO. 105788, recorded on Microfilm Roll No. 48, authorizing Raymond Krah, Personnel Director, to attend the Western Regional Conference meeting of the Civil Service Assembly to be held in San Jose, California, on April 3, 4 and 5, 1952; authorizing all necessary expenses in connection with the trip; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Pacific Indemnity Company recommending denial of the claim of Ruth Alexander was presented.

RESOLUTION NO. 105789, recorded on Microfilm Roll No. 48, denying the claim of Ruth Alexander, filed under Document No. 442939, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105790, recorded on Microfilm Roll No. 48, directing notice of filing of assessment and of the time and place of hearing thereon, for the paving and otherwise improving of Jarvis Street and Scott Street, under Resolution of Intention No. 102546, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105791, recorded on Microfilm Roll No. 48, directing notice of filing of assessment and of the time and place of hearing thereon, for the paving and otherwise improving of La Jolla Hermosa Avenue, between Camino de la Costa and La Canada, under Resolution of Intention No. 103208, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105792, recorded on Microfilm Roll No. 48, directing notice of filing of assessment and of the time and place of hearing thereon, for the paving and otherwise improving of Oliver Avenue, between Dawes and Fanuel Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105793, recorded on Microfilm Roll No. 48, approving the plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block A, Belmont, contained in Document No. 445538; and approving Plat No. 2320, showing the exterior boundaries of the district to be included in said work and assessment; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105794, recorded on Microfilm Roll No. 48, approving the plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Wawona Drive, between Chatsworth Boulevard and Capistrano Street, contained in Document No. 445553; and approving Plat No. 2324, showing the exterior boundaries of the district to be included in the assessment for said work and improvement; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF Award No. 105795, recorded on Microfilm Roll No. 48, for paving and otherwise improving of the Alley in Block 67, Point Loma Heights, under Resolution of Intention No. 104943, awarding the contract for said work and improvement to V. R. Dennis, an individual doing business under the firm name and style of V. R. Dennis Construction Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF Award No. 105796, recorded on Microfilm Roll No. 48, for paving and otherwise improving of Pynchon Street, between Logan Avenue and Ocean View Boulevard, under Resolution of Intention No. 104944, awarding the contract for said work and improvement to Daley Corporation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 105797, recorded on Microfilm Roll No. 48, for the closing of the Alleys in Blocks C, E and F, Tecolote Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105798, recorded on Microfilm Roll No. 48, appointing time and place for hearing protests for the furnishing of electric current for the lighting of the ornamental street lights in El Cajon Boulevard Lighting District No. 2, for a period of one year from and including March 5, 1952, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105799, recorded on Microfilm Roll No. 48, appointing time and place for hearing protests for the furnishing of electric current for the lighting of the ornamental street lights in University Avenue Lighting District No. 2, for a period of one year from and including March 16, 1952, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 105800, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of the Alley in Block 11, La Jolla Strand, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 105801, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of the Northerly and Southerly Alley and the Easterly and Westerly Alley in Block 79, Subdivision of Acre Lots 12 to 15, inc., 39 to 41, inc. and portions of Acre Lots 16, 37, 45 and 46 and Blocks 150 and 151 of Pacific Beach; within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 105802, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of Olivet Street, between the southerly line of Villa Tract La Jolla Park and the southeasterly prolongation of the northeasterly line of Ivanhoe Avenue East; and Cabrillo Avenue, between the southerly line of Villa Tract La Jolla Park and the southerly line of Pearl Street; within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 105803, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of Puterbaugh Street, between the northwesterly line of Pringle Street and a line parallel to and distant 240.00 feet northwesterly from the northwesterly line of Pringle Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 105804, recorded on Microfilm Roll No. 48, for the installation of street light standards, equipment, connections and appurtenances, pull boxes and conduits and cables on portions of Montezuma Road, Mary Lane Drive, Dorothy Drive, Rockford Drive and 63rd Street; within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

DETERMINATION

RESOLUTION OF PRELIMINARY NO. 105805, recorded on Microfilm Roll No. 48, for paving and otherwise improving of the Alley in Block A, Belmont, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105806, recorded on Microfilm Roll No. 48, for paving and otherwise improving a portion of Wawona Drive, between the northwesterly line of Chatsworth Boulevard and the northwesterly line of Capistrano Street; within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105807, recorded on Microfilm Roll No. 48, ascertaining and declaring the prevailing rate of prevailing wages to be paid in connection with the paving and otherwise improving of the Alley in Block 40, Resubdivision of Blocks H and I, Teralta, between the south line of El Cajon Boulevard and the north line of Orange Avenue, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105808, recorded on Microfilm Roll No. 48, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the paving and otherwise improving of the North and South Alley in Block 244, University Heights, between the north line of Myrtle Avenue and the south line of Brookes Avenue, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105809, recorded on Microfilm Roll No. 48, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the

paving and otherwise improving of Felspar Street, between the easterly line of Dawes Street and the westerly line of Everts Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105810, recorded on Microfilm Roll No. 48, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the paving and otherwise improving of Ingraham Street, between the northerly line of La Playa Avenue and the northerly line of Crown Point, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105811, recorded on Microfilm Roll No. 48, approving the diagram of the property affected or benefited by the work of paving and otherwise improving of Beardsley Street and 22nd Street, as described in Resolution of Intention No. 103209, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105812, recorded on Microfilm Roll No. 48, approving the diagram of the property affected or benefited by the work of paving and otherwise improving of Brant Street and Washington Street, as described in Resolution of Intention No. 103136, and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105813, recorded on Microfilm Roll No. 48, granting property owner permission to install sewers in portions of Hilltop Drive and 44th Street by private contract, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105814, recorded on Microfilm Roll No. 48, ratifying, confirming and approving a tidelands lease with The Anchorage, a California corporation, for a period of five years, with option to renew for an additional five years, upon terms and conditions contained in form of Lease, a copy of which is on file in the Office of the City Clerk under Document No. 445821, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105815, recorded on Microfilm Roll No. 48, ratifying, confirming and approving a tidelands lease with General Truck and Engine Company, Inc., for a period of five years, with three five-year options to renew, upon terms and conditions contained in form of lease, a copy of which is on file in the Office of the City Clerk under Document No. 445824, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105816, recorded on Microfilm Roll No. 48, authorizing and empowering the Port Director to do all the work in connection with the furnishing and installation of two fire hydrants and approximately 415 feet of 8" water line in the vicinity of the Lindbergh Field Terminal Building by appropriate City forces in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105817, recorded on Microfilm Roll No. 48, granting the request of J. P. Witherow, approved by the Acting Director of the Water Department and the City Manager, as contained in Document No. 445827, for an extension of time of fifteen days, to and including March 14, 1952, in which to complete his contract for covering with water proofing material the expansion joints at the Bayview Reservoir, and which said contract is contained in Document No. 444877; waiving the provisions of the specifications for said work with respect to liquidated damages until March 14, 1952; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105818, recorded on Microfilm Roll No. 48, directing the City Attorney to file a petition with the County Board of Supervisors requesting that all taxes of record against The West 61 feet of Lots 4, 5 and 6, Block 88 of San Diego Homestead Union, according to Map thereof No. 363, be cancelled, together with all penalties and other expenses in connection therewith; and to take whatever steps he may deem necessary otherwise to secure the cancellation of said taxes and debts; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105819, recorded on Microfilm Roll No. 48, granting permission to Harvey Jessie, 3083 - 39th Street, to remove 30 feet of curb on the westerly side of Columbia Street, between Upas Street and Fine Street, and to install a driveway adjacent to the north 32-1/2 feet of Lot 8 and the south 17-1/2 feet of Lot 9, Block 147, Middletown, to provide access to a three-car garage; all work to be in accordance with all rules, regulations and ordinances of The City of San Diego governing the same; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105820, recorded on Microfilm Roll No. 48, granting permission to Ralph O. Coggeshall, to install sewers on his property at 3245 Boston Avenue, 3249 Boston Avenue, 3255 Boston Avenue, 1320 Bryant Street, 1330 Bryant Street and 1340 Bryant Street, and to connect the sewer lines from the six houses at said location with one six-inch sewer existing in the Alley into Bryant Street; all subject to the approval of the City Manager and the Department of Public Health of the City; and providing that the City shall be held free and clear of any claim for damages by reason of the installation and maintenance of said sewers; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105821, recorded on Microfilm Roll No. 48, granting permission to the San Diego Unified School District to lay 630 lineal feet of 6-inch cast iron soil line in connection with the construction of elementary classroom units in the vicinity of 64th Street and Catoctin Drive, at a fall of not less than 1/8" per foot, to connect with the public sewer; upon the express condition that said City be held free and clear of any claim for damages by reason of the installation, operation and maintenance of said sewer line; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105822, recorded on Microfilm Roll No. 48, authorizing and empowering the City Manager to enter into an agreement for and on behalf of The City of San Diego amending the existing agreement with the County of San Diego covering charges and reimbursements for health services, so as to provide for the reimbursement by the City of one-half of the expense of the monthly transportation allowance paid by the County of San Diego to the Maternal and Child Health Supervisor, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105823, recorded on Microfilm Roll No. 48, authorizing the City Manager to enter into a contract with Steelcrete Industrial Buildings, Inc., subdividers of that certain subdivision known as "Bay Park Vista Unit No. 2", providing for the installation of water mains and appurtenances in said subdivision and for the reimbursement by the City to the subdividers of the sum of \$531.95 for difference in cost of larger size border water mains and appurtenances which were installed at request of the City, upon the execution and delivery to said City of a Quitclaim Deed conveying to said City all of the right, title and interest of the subdividers in and to the water distribution system in said "Bay Park Vista Unit No. 2" subdivision, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105824, recorded on Microfilm Roll No. 48, accepting the quitclaim deed executed by Steelcrete Industrial Buildings, Inc., quitclaiming to The City of San Diego, all water mains and appurtenant structures located on public streets, rights of way, highways and public places, either within or without, the subdivision named Bay Park Vista Unit No. 2, and filed as Map No. 2751 in the County Recorder's Office, being a portion of Lots 15 and 16 of the Eureka Lemon Tract; authorizing and directing the City Clerk to file said deed, together with a certified copy of this resolution for record in the office of the said County Recorder; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 105825, recorded on Microfilm Roll No. 48, accepting the quitclaim deed executed by Joseph Avoyer and Stephanie Avoyer, husband and wife, quitclaiming to The City of San Diego, all water mains and appurtenant structures, located in public streets, rights of way, highways and public places, either within or without the subdivision named "Point Loma Vista" being a subdivision of Pueblo Lot 200, and filed as Map No. 2782 in the County Recorder's Office of San Diego County, California; authorizing and directing the City Clerk to file said deed, together with a certified copy of this resolution for record in the office of the said County Recorder; was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

ORDINANCE NO. 5105, New Series, recorded on Microfilm Roll No. 48, appropriating the sum of \$8,130.00 from the Unappropriated Balance of The City of San Diego, for the purpose of providing funds for repairing the roller skating rink at the Mission Beach Amusement Center, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5106, New Series, recorded on Microfilm Roll No. 48, appropriating the sum of \$2,300.00 from the Unappropriated Balance of The City of San Diego, and transferring the same to Auto Shops and Electric Shops Divisions, Department of Public Works Fund of the City, for providing funds for the purchase and equipping of a truck for operation by the Dog Pound Division of the Public Health Department, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

A proposed Ordinance Incorporating portions of Lots 66, 67 and 70, Partition of Rancho Mission of San Diego, California, into "R-1" Zone as defined by Section 101.0405 of The San Diego Municipal Code, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, a hearing was set to consider the terms and provisions of this Proposed Ordinance for Tuesday, March 25th, 1952, at the hour of 10:00 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lamps located in Garnet Street Lighting District No. 1, for a period of one year from and including January 30, 1952, the City Clerk reported that no written protests had been received. No one appeared to be heard.

RESOLUTION NO. 105827, recorded on Microfilm Roll No. 48, confirming and adopting as a whole the City Engineer's report and assessment for Garnet Street Lighting District No. 1, filed in the office of the City Clerk February 1st, 1952, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

At this time, on motion of Councilman Godfrey, seconded by Councilman Swan, the Council took a recess until the hour of 2:00 o'clock P.M. this date.

Upon reassembling, the roll call showed as follows:

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail and Mayor Butler.

Absent----Councilman Godfrey.
Clerk-----Fred W. Sick.

The matter of the proposed demolition of Casa de Lopez, located at the westerly end of the 3900 Block on Twiggs Street, on Lot 3, Block 445, Old Town; declared to be an unsafe structure by the Building Inspection Department, was again considered at this time.

Attorney Douglas R. Giddings presented a letter on behalf of Alice D. Fisher, C. Arnholt Smith and himself, stating that a non-profit corporation is to be organized to acquire title to the land upon which the Casa de Lopez is situated, to secure the closing of portions of streets occupied by this structure, and to restore the building to its original condition, etc. He read the letter in full.

During the reading of this letter, Councilman Godfrey entered and took his place on the Council.

Douglas R. Giddings stated that a wire fence will be erected around the house this week, to prevent access to the structure by unwarranted persons. He said the house will be restored to the condition in which it appeared in 1834, the date of construction. He wished permission to fence in a portion of Twiggs Street.

Deputy City Attorney Louis M. Karp said the street to be closed was named Jefferson Street; and that the City could quitclaim its interest in Twiggs Street, which had never been officially dedicated as a street.

Mrs. Alice D. Fisher spoke relative to the location of the house in relation to Twiggs Street and Jefferson Street.

Discussion by Councilmen Schneider, Kerrigan, Dail, Mayor Butler and Deputy City Attorney Karp relative to the legality of the proposed action followed.

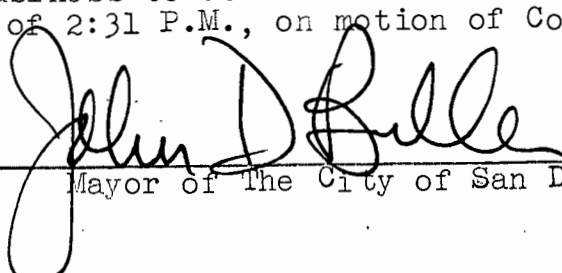
Glenn Rick suggested a regular closing proceeding for portions of both streets.

RESOLUTION NO. 105826, recorded on Microfilm Roll No. 48, referring the matter of fencing off the structure known as Casa de Lopez, including fencing in portions of Twiggs Street and Jefferson Street, to the City Manager for the necessary action, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

City Attorney Jean F. DuPaul suggested that the property owners bring a quiet title suit against the City, and that the City file a disclaimer, to portions of street occupied by the Casa de Lopez

All interested persons having been heard, on motion of Councilman Schneider, seconded by Councilman Kerrigan, the hearing was continued for thirty days; until Tuesday, April 15th, 1952, at the hour of 10:00 o'clock A.M.

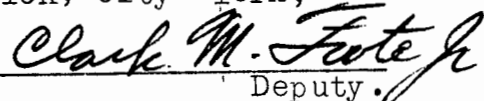
There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 2:31 P.M., on motion of Councilman Schneider, seconded by Councilman Dail.


Mayor of The City of San Diego, California.

(ATTEST)

FRED W. SICK, City Clerk,

By


Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, March 13th, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:07 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
Mayor Butler.

Absent---None.

Clerk-----Fred W. Sick.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Burton L. Jones from the decision of the Zoning Committee denying permission to himself and Daryll L. Johnson, and Glenn O. Hellyer, to build and operate a drive-in movie theatre on Acre Lots 1 and 2, Pueblo Lot 1103, Polo Grounds, Mission Valley, in Zone R-1A, all papers in connection with the matter were presented.

A report on the appeal from the City Planning Commission was presented and read.

Mr. Glenn Rick reported orally on the appeal. He presented a map in color showing the property whose owners favored and property whose owners opposed the zone variance.

It was stated that Thomas B. Getz owned the Golf Course - the largest parcel of property shown on the Map.

A report of the traffic engineer on the traffic situation was presented and read.

City Attorney Jean F. DuPaul reported on the authority of the City Council to grant zone variances; such as the one petitioned for. He stated that an outdoor movie theatre would normally be in a "C" Zone; although the City Ordinances do not specifically so state.

The Mayor stated that the burden of proof was on the petitioners for the zone variance. He mentioned that they could petition for re-zoning if the R-1A zone was in error.

Attorney William H. Macomber spoke for the petitioners requesting the Zone Variance. He mentioned the existing Dog Pound, dairies, etc. in the west end of Mission Valley where the Polo Grounds are situated. He said the land was in a flood area and the construction of residential units was therefor impossible. He said nearly by property owners were almost 100% in favor of the drive-in theatre.

He stated many of the protestants lived in Mission Hills overlooking the Cudahy Packing plant and certain other signers were very remote from the Polo Grounds. He mentioned all the roads available for ingress and egress; and said the theatre installation would up-grade the area.

Mr. Daryll L. Johnson, one of the petitioners, said the traffic set-up was ideal for the theatre; and stated that the protest circulator was a competitor.

Mr. Fred E. Peterson Jr. of the Silver Terrace Improvement Association said the Drive-in Theatre would be a big improvement over the existing run-down Polo Grounds, with its horse shows, donkey base ball, rodeos, etc. He commented on the traffic situation, present use of the property and alleged noise affecting the surrounding area. He requested that the petitioners be allowed to improve the property with new construction. He stated his association has 162 members; all of whom are property owners; and they all favor the proposed drive-in theatre. He answered questions by Councilman Schneider and Mayor Butler.

Discussion followed relative to the present use of the property by Councilmen Swan and Wincote.

Glenn Rick explained the Zone Variance under which the Polo Field is now operated.

Attorney William H. Macomber said the Fire and Police Departments have both approved the proposed theatre. He offered to show motion pictures of the westerly end of Mission Valley.

Attorney Richard Vaughn, representing the Mission Valley Improvement Association, mentioned previous attempts to set up auto racing and motorcycle racing on the subject property. He said the present R-1A Zone in all of Mission Valley should be maintained. He mentioned traffic problem on Friars Road and Cabrillo Freeway; also on Camino del Rio; and the possible traffic jams resulting from the operation of a large outdoor theatre.

Dr. Paul Brust, representing the San Diego Public Safety Committee, spoke relative to accidents on Mission Valley Road. He said this street should be made a freeway with no side roads such as now exist. He stated that only right-hand turns should be allowed off said highway; with better lighting, wider paving at intersections, with an underpass for left-turning traffic. He thought the proposed theatre would somewhat increase the traffic hazard. He answered questions relative to traffic by Councilmen Wincote and Swan.

A letter from the Automobile Club of Southern California, signed by E. E. East, Chief Engineer, was presented and read. This letter recommended denying any zone change allowing business on any of the freeways in the City of San Diego.

Mr. Fred W. Simpson, formerly City Councilman for five years, stated that the Polo Grounds were poorly managed; and that other horse stables and rings in the Valley were operating profitably. He opposed a zone variance to permit this theatre. Asked how many horses were kept in Mission Valley he mentioned four stables with strings of 100, 90, 80 and 30 horses each, besides a number of individual owners with single stables. He stated that Mission Valley was the "Last Stand" for horsemen near San Diego. Questions by the Mayor and Councilmen Wincote, Kerrigan and Godfrey were answered by Mr. Simpson.

Mr. Irvin Gress, property owner on Camino Del Rio and President of the Mission Valley Improvement Association, stated his Association wants everything done to oppose the application; and all other applications for commercial enterprises. Questions by the Mayor and individual councilmen were answered by Mr. Gress. The Association's approval of the Holiday Dairy enterprise was explained by Mr. Gress.

Letter from Corte F. Truax, 5031 Sandrock Grade objecting to a Drive-in Theatre in Mission Valley, was presented and read. A Mrs. Bruce, of the same address; also opposed the requested zone variance.

Mr. Daryll L. Johnson, one of the applicants, spoke in rebuttal. He turned in a letter approving pari-mutual betting and horse racing at the Polo Club, from the Mission Valley Improvement Association. He also furnished a new petition favoring the drive-in Theatre from a number of individual members of this Association. He submitted a letter from the Board of Directors of the Old San Diego Chamber of Commerce favoring the proposed construction of a Drive-in Theatre at the Polo Grounds.

Attorney William H. Macomber spoke again. He stated that 95% of the property owners in the immediate area favored the zone variance.

A letter was read by Robert E. Andrees listing reasons for opposing variance.

At this time the Mayor declared the hearing closed.

Discussion followed by Councilmen Swan, Wincote, and Schneider, and City Attorney Jean F. DuPaul. Further statements were made by Glenn Rick.

Mr. Glenn O. Hellyer reported on stream action in Mission Valley during the recent storm.

All interested persons having been heard, a motion was made by Councilman Swan and seconded by Councilman Wincote to sustain the appeal of Daryll L. Johnson and Burton L. Jones, purchasers, and Glenn O. Hellyer, owner, from the decision of the Zoning Committee in denying by its Resolution No. 6183, application for variance to the provisions of Ordinance No. 1947 (New Series), to build and operate a drive-in movie theatre on Acre Lots 1 and 2, Pueblo Lot 1103, at the Polo Grounds, Mission Valley, in Zone R-1A; and to overrule the Zoning Committee decision.

A roll call on this motion showed Councilmen Swan, Wincote, Dail, Godfrey voting Yea; Councilmen Schneider, Kerrigan and Mayor Butler voting Nay; absent--None.

The Mayor stated that the motion had failed to carry, as it required a vote of five members of the Council to overrule a decision of the Zoning Committee.

Petition of Robert Trevino, Dance Chairman, 31st Annual Policemen's Ball, for suspension of rentals and fees for use of the Mission Beach Ballroom on the night of May 3, 1952, was presented and on motion of Councilman Wincote, seconded by Councilman Schneider, referred to the City Manager.

Claim of F. H. Gregory, based on damage to his automobile by a City rubbish truck, in the amount of \$14.00, was presented.

RESOLUTION NO. 105828, recorded on Microfilm Roll No. 48, referring to the Pacific Indemnity Company the claim of F. H. Gregory contained in Document No. 445809, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on six bids received for furnishing and erecting a chain-link wire fence around the Alvarado Filtration Plant Sludge Basin, was presented.

RESOLUTION NO. 105829, recorded on Microfilm Roll No. 48, accepting the bid of Frank C. Munster d.ba. Atlas Iron & Wire Works of San Diego, for furnishing and erecting a chain-link wire fence around the Alvarado Filtration Plant Sludge Basin, for the sum of \$3,685.65; awarding the contract and authorizing the City Manager to sign the same; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, recommending bids for furnishing Clay Pipe and Accessories for the Public Works Department for a period of six months, was on motion ordered filed.

RESOLUTION NO. 105830, recorded on Microfilm Roll No. 48, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing the City of San Diego with Clay Pipe and Accessories for a six-month period beginning April 1, 1952 and ending September 30, 1952 for the Public Works Department in accordance with Notice to Bidders, specifications, Bidding Instructions and Requirements on file under Document No. 446069; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

At this time Councilman Wincote was excused from the meeting.

Communication from the City Manager recommending filing letter from the Lamplighters of La Jolla regarding the removal of Navy Bunkers in the Bird Rock Area was presented.

Mrs. Herman Haupt, Secretary of the Bird Rock Elementary P.T.A. spoke, requesting the complete removal of bunkers from the foot of Archer Street in the Bird Rock Section. She requested the Councilmen to make a personal inspection of the cement work from former anti-aircraft emplacements. She mentioned fires around the buildings, and stated the recent boarding-up of openings is only a temporary relief. A letter from the assistant to the City Manager was partially read, stating that the Police, Fire, Health and Building Inspection Departments can find no violation of existing City ordinances at these bunkers.

On motion of Councilman Dail, seconded by Councilman Schneider, consideration of this matter was continued for one week.

Communication from the City Manager recommending filing letter from the Parish Council of St. James by the Sea of La Jolla regarding certain installations in the Bird Rock area was presented; and on motion of Councilman Schneider, seconded by Councilman Dail, ordered filed.

At this time Councilman Swan was excused from the meeting.

Communication from the City Manager recommending filing communications from Clyde A. Wright, Inc. Post 433, of the American Legion, and from the Park and Recreation Director, relative to plans for improving Collier Park, was presented, and on motion of Councilman Schneider, seconded by Councilman Dail, ordered filed.

Communication from the City Planning Commission recommending suspending six sections of the Subdivision Ordinance relative to the Tentative Map of Belleview Center, was presented.

RESOLUTION NO. 105831, recorded on Microfilm Roll No. 48, suspending sections 3G1, 3E5, 3I2, 4A8 & 6, and 5C, of the subdivision ordinance, in connection with the Tentative Map of Belleview Center, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission recommending approval of the Tentative Map of Belleview Center, subject to certain conditions, was presented.

RESOLUTION NO. 105832, recorded on Microfilm Roll No. 48, approving the Tentative Map of Belleview Center, being on the north side of University Avenue, between 58th Street and 60th Street and consisting of approximately 300 units of multiple housing, subject to ten conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105833, recorded on Microfilm Roll No. 48, making a finding that the rental of small construction and gardening equipment on the property on the north side of University Avenue, between 50th Street and Oakcrest Drive, (Lots 7 to 11, inclusive, in Block B of Oak Park), by G. C. Durbin, is not more obnoxious or detrimental to the particular community than other permitted uses in the C Zone, provided the rental of equipment be limited to 10 one-sack cement mixers, 2 two-sack plaster mixers, 3 105-cu. ft. air compressors, 1 4-wheel garden tractor, 2 rototillers and other miscellaneous small equipment, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from John T. Brattin relative to dangerous intersection at 30th and Juniper Street; suggesting four-way stops; was presented and on motion of Councilman Schneider, seconded by Councilman Dail, referred to the City Manager.

Communication from the Public Works Office, Eleventh Naval District, requesting permission for Government surveyors to enter on City-owned Pueblo Lot 1317 to make a topographic survey; in connection with contemplated expansion at the U. S. Marine Corps Rifle Range, Camp Matthews, was presented and on motion of Councilman Godfrey, seconded by Councilman Schneider, referred to the City Manager.

Communication from Attorney Ann Wansley, requesting special permit for Mr. Walter Surakka to sell novelties on the public sidewalks in the Central Business District, was presented. Attorney Ann Wansley appeared to speak in support of this request.

RESOLUTION NO. 105834, recorded on Microfilm Roll No. 48, denying the request of Ann Wansley, attorney, 1136 San Diego Trust and Savings Building, requesting a special permit for Walter Surakka, 815 - 3rd Avenue, to sell novelties on the public sidewalks in the Central Business district; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the San Diego Junior Chamber of Commerce thanking the Council for assistance in connection with the Sixth Annual Pacific Coast Mid-Winter Soaring Championships, was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

Communication from the Academy Club, Stella Maris Academy, La Jolla, relative to removing of gun emplacements in the Bird Rock Section was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, referred to a continued hearing to be held one week from to-day.

RESOLUTION NO. 105835, recorded on Microfilm Roll No. 48, determining and declaring that the public interest, convenience and necessity of the City of San Diego require the construction operation and maintenance of a reservoir and facilities and appurtenances thereto upon certain lands in New Riverside, County of San Diego, State of California, according to Map No. 679, filed in the Office of the County Recorder of Said County, August 11, 1891; and that the public interest, convenience and necessity demand the acquisition of said land; and declaring the intention of the City of San Diego to acquire said land under Eminent Domain Proceedings; and directing the City Attorney of The City of San Diego to commence an action in the superior court of The State of California, in and for the County of San Diego, for the purpose of condemning said land, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

A proposed Resolution to authorize the sale at public auction of Lots 36, 37, 38, 39 and 40, Block 32, La Jolla Park, improved with a structure known as the Old War Memorial Building, was presented.

On motion of Councilman Dail, seconded by Councilman Schneider, consideration of this proposed Resolution was continued for two weeks, to Thursday, March 27th, 1952.

RESOLUTION NO. 105836, recorded on Microfilm Roll No. 48, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, declaring the following intersections of streets to be "Intersection Stops", affecting all four directions of traffic:

First Avenue and Laurel Street;
 Fourth Avenue and Laurel Street;
 Fifth Avenue and Robinson Avenue;
 16th Street and Imperial Avenue;
 25th Street and C Street;
 30th Street and Ocean View Boulevard;
 32nd Street and Ocean View Boulevard;
 Crosby Street and Logan Avenue.

A communication from E. Kemper Nelson relative to the flooding of Pacific Highway last Friday evening; suggesting drainage of the area into the new Flood Control Channel, was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, referred to the City Manager.

RESOLUTION NO. 105837, recorded on Microfilm Roll No. 48, authorizing and empowering the City Manager to do all the work in connection with the installation of 450 feet of six-inch water main and one six-inch two-way fire hydrant in Wrelton Street, from Turquoise Street westerly to the 16-inch water main on street R/R/W, and 650 feet of six-inch water main and one six-inch two-way fire hydrant in Broadway, from 33rd Street to 34th Street, and the salvaging or abandonment of two-inch water main in said streets, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105838, recorded on Microfilm Roll No. 48, authorizing the City Manager to execute an agreement with the firm of Everts & Esenoff, Certified Public Accountants, for an audit of the books and accounts of The City of San Diego for the fiscal year 1951-1952, all in accordance with the terms of the form of agreement heretofore filed with the City Clerk as Document No. 445972; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105839, recorded on Microfilm Roll No. 48, authorizing the City Manager to execute a contract with the R. P. Shea Company, whereby said company shall deposit not to exceed 10,000 cubic yards of material on the side of the outer highway 101, between the San Diego River and Cudahy Creek, at a price of twenty cents per cubic yard; to assist in construction by the State of California, Department of Public Works, Division of Highways; under conditions fully set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105840, recorded on Microfilm Roll No. 48, granting permission to The Ed Fletcher Company to construct, operate and maintain a sewer across the City's right-of-way for El Monte Pipe Line Section II, at Pipe Line Station 394 plus 36.82, in El Cajon Valley about one-quarter mile south of Broadway, at the location shown on print of Drawing No. 3486, Sheet 39, on file in the office of the Water Department, Division of Engineering, on terms and conditions fully set forth in said Resolution; was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105841, recorded on Microfilm Roll No. 48, granting the request of J. S. Barrett, approved by the Acting Director of the Water Department and the City Manager, as contained in Document No. 445976, for an extension of time of 45 days, to and including April 10, 1952, in which to complete his contract for the Hilltop Drive asbestos cement pipe line, and which said contract is contained in Document No. 441750; waiving the provisions of the specifications for said work with respect to liquidated damages until April 10, 1952; was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105842, recorded on Microfilm Roll No. 48, approving Change Order No. 1, filed as Document No. 445978, in connection with the contract with Johnson-Western Constructors for the construction of tidal gates and storm drain in Mission Beach, contained in Document No. 443926; amounting to an increase in the contract price of \$64.80; was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105843, recorded on Microfilm Roll No. 48, directing the Property Supervisor to file a petition with the County Board of Supervisors requesting that all taxes against certain City-Owned property be cancelled; and that all deeds to the State of California for delinquent taxes of said property be cancelled; and authorizing said Property Supervisor to take whatever steps he may deem necessary otherwise to secure the cancellation of said taxes and deeds; was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The affected property was fully described in this Resolution, and included land in Fairmount Addition; Pueblo Lot 1297; Gardners Addition; La Jolla Shores No. 2; Lemon Villa; and University Heights.

RESOLUTION NO. 105844, recorded on Microfilm Roll No. 48, directing the Property Supervisor to file a petition with the County Board of Supervisors requesting that all taxes against certain City-Owned property be cancelled; and that all deeds to the State of California for delinquent taxes of said property be cancelled; and author-

izing and directing him to take whatever steps he may deem necessary otherwise to secure the cancellation of said taxes and deeds; was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The property involved was in Pueblo Lot 212 and in Berkeley Heights.

RESOLUTION NO. 105845, recorded on Microfilm Roll No. 48, establishing the value of the lands heretofore by Resolution No. 104327 of the Council, authorized to be deeded to the State of California, and more particularly described in the forms of deeds heretofore filed with the City Clerk as Documents Nos. 440083 and 440085, at \$111,500.00; authorizing and directing the City Clerk to send to the State of California, Division of Beaches and Parks, Department of Natural Resources, 257 South Spring Street, Los Angeles, 12, California, five certified copies of this resolution; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105846, recorded on Microfilm Roll No. 48, accepting the Quitclaim Deed executed by Anderson Homes, Inc. quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, located on public streets, rights of way, highways and public places, either within or without the subdivision named "Plumosa Manor", being a portion of Loma Alta No. 2, Pueblo Lot 211, and filed as Map No. 2678; authorizing and directing the City Clerk to file said deed, together with a certified copy of this resolution for record in the office of the County Recorder; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105847, recorded on Microfilm Roll No. 48, accepting the Quitclaim Deed executed by J. W. Anderson Corporation, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located on public streets, rights of way, highways and public places, either within or without the subdivision named Plumosa Manor Unit No. 2, being a portion of Lots Nos. 1, 2, 5, 6, 7 and 8 in Pueblo Lot 120, and filed as Map No. 2721; authorizing and directing the City Clerk to file said deed, together with a certified copy of this resolution for record in the office of the County Recorder; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105848, recorded on Microfilm Roll No. 48, granting the application of Walter E. Becht, 715 Law Street, for a Class C license to conduct public dance at Bud's Circus Room, 4612 Cass Street, on premises where intoxicating liquor is sold; subject to compliance with existing ordinances and regulations; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105849, recorded on Microfilm Roll No. 48, accepting the subordination agreement executed by The First National Trust and Savings Bank of San Diego, beneficiary and trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 13, Block 14, Encanto Heights, according to Map thereof No. 1063, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego, through, along and across said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105850, recorded on Microfilm Roll No. 48, accepting the subordination agreement, executed by The Mutual Life Insurance Company of New York, beneficiary, and Southern Title and Trust Company, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 163, Plumosa Manor Unit No. 2, according to Map thereof No. 2721, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105851, recorded on Microfilm Roll No. 48, accepting the subordination agreement, executed by The Mutual Life Insurance Company of New York, beneficiary, and Southern Title & Trust Company, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 162, Plumosa Manor Unit No. 2, according to Map thereof No. 2721, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; authorizing and directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105852, recorded on Microfilm Roll No. 48, accepting the deed of Johnnie E. Starling and Lois Scharlene Starling, executed in favor of The City of San Diego, conveying to said City a portion of Lot Four, Block 393, Old San Diego, according to Map thereof by James Pascoe, filed in the Office of the Recorder of San Diego County; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department, for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105853, recorded on Microfilm Roll No. 48, accepting the

deed of Charles W. Harris and Elizabeth T. Harris, executed in favor of The City of San Diego, conveying to said City portions of Sections 13, 14 and 23, Township 13 South, Range 3 West, S.B.B.M., be and the same is approved on the conditions therein expressed; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105854, recorded on Microfilm Roll No. 48, accepting the deed of Charles W. Harris and Elizabeth T. Harris, executed in favor of The City of San Diego, conveying to said City an easement and right of way for access road purposes, through, along and across a portion of Section 14, Township 13 South, Range 3 West, S.B.B.M.; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department, for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105855, recorded on Microfilm Roll No. 48, accepting the deed of Ralph H. Crandall, M.D., Haral C. Sturz, Earl H. Crandall, George Crandall and Leigh Huff Crandall, conveying to said City an easement and right of way for street purposes, through, along and across a portion of Lots 8 and 9, Block 294, Pacific Beach, according to Map thereof No. 854; setting aside and dedicating to the public use the land therein conveyed to the public use as and for a public street; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105856, recorded on Microfilm Roll No. 48, accepting the deed of George F. Blakeslee and Louise Blakeslee, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 12, Block "C" and Lot 1, Block "F", both in Wells and Lane's Tecolote Heights, according to Map thereof No. 1487; setting aside and dedicating to the public use as and for a public street the lands therein conveyed; naming Parcel 1 August Street; and naming parcel 2 Deerpark Drive; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105857, recorded on Microfilm Roll No. 48, accepting the deed of John F. Euston, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 13, Block "E", Wells and Lane's Tecolote Heights, according to Map thereof No. 1487; setting aside and dedicating the lands therein conveyed to the public use as and for a public street; and naming the same Deerpark Drive; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105858, recorded on Microfilm Roll No. 48, accepting the Deed of Dedication of the San Diego Unified School District of San Diego County, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lots 1 and 13, Block "B", Wells and Lane's Tecolote Heights, according to Map thereof No. 1487; setting aside and dedicating the land therein conveyed to the public use, as and for a public street; and naming Parcel 1 Burgener Boulevard; and Parcel 2 August Street; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105859, recorded on Microfilm Roll No. 48, accepting the deed of The Bishop of The Protestant Episcopal Church of Los Angeles, a corporation sole, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 1, Block 49, Point Loma Heights, according to Map thereof No. 1106; together with a portion of Pescadero Avenue and adjoining alley, both closed by Resolution No. 50136 of the Common Council of the City of San Diego; setting aside and dedicating to the public use as and for a public street the land therein conveyed; and naming the same Catalina Boulevard; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105860, recorded on Microfilm Roll No. 48, accepting the deed of Louis C. Burgener, Patricia W. Burgener, Carlos Tavares and Marjorie Claire Tavares, executed in favor of the City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 21, Block "C"; Lots 1, 12 and 23, Block "E", and Lots 11, 12 and 21, Block "F", all in Wells and Lane's Tecolote Heights, according to Map thereof No. 1487; setting aside and dedicating the land therein conveyed to the public use as and for a public street; dedicating Parcel 1 Cowley Way; Parcel 2 August Street; Parcel 3 Burgener Boulevard; Parcel 4 Deerpark Drive, and Parcel 5 Deerpark Drive; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105861, recorded on Microfilm Roll No. 48, accepting the deed of Solon S. Kipp and Della A. Kipp, executed in favor of The City of San Diego, conveying to the City of San Diego an easement and right of way for street purposes, through, along and across a portion of Lot 7, Block 1, Beverly Tract, according to Map thereof No. 1129; setting aside and dedicating to the public use the land therein conveyed as and for a public street; and naming the same Euclid Avenue; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this Resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105862, recorded on Microfilm Roll No. 48, accepting the deed of Anisia Autrey Biddle, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 1, Block 4, Drucker's Subdivision, according to Map thereof No. 1584; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105863, recorded on Microfilm Roll No. 48, accepting the deed of Elmer L. Crane and Boris E. Crane, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lots 34, 35, 36 and 37, Block 13, Swan's Addition, according to Map thereof No. 947; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105864, recorded on Microfilm Roll No. 48, accepting the deed of Melvin E. Dorson and Isabelle Dorson, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes, through, along and across a portion of Lot 35, Block 273 of Pacific Beach, according to the Map thereof No. 854; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105865, recorded on Microfilm Roll No. 48, accepting the deed of Samuel Feller and Mary Feller, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes, through, along and across a portion of Lot 51, Block 2, Walker's Addition, according to Map thereof No. 935; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105866, recorded on Microfilm Roll No. 48, accepting the deed of Charles K. Fletcher Company, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 2, Block 8, Roseville, according to Map thereof No. 165; authorizing and directing to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105867, recorded on Microfilm Roll No. 48, accepting the deed of Leo Greenbaum and Rose Greenbaum, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes, through, along and across a portion of Lot 10, Block "D" of Presidio Hills, according to Map thereof No. 1934; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105868, recorded on Microfilm Roll No. 48, accepting the deed of James Joseph Lacey and Loretta Lacey, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across portions of Lots 37 and 38, Block 13, Swan's Addition, according to Map thereof No. 947; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105869, recorded on Microfilm Roll No. 48, accepting the deed of John H. Oelckers and Dorothy E. Oelckers, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes, through, along and across a portion of Lot 3, Block 28, Fairmount Addition, according to Map thereof No. 1035; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105870, recorded on Microfilm Roll No. 48, accepting the

deed of Jose A. Salazar and Lazarita B. Salazar, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes, through, along and across a portion of Lot 29, Block 97, of E. W. Morse, according to Map thereof No. 547; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, according to directions in this Resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105871, recorded on Microfilm Roll No. 48, accepting the deed of Peter Sampo and Margaret Sampo, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Pueblo Lot 265 of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105872, recorded on Microfilm Roll No. 48, accepting the deed of George W. Trenfel, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes, through, along and across portions of Lots 39 and 40, Block 157, Pacific Beach, according to Map thereof No. 864; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California; together with a certified copy of this Resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105873, recorded on Microfilm Roll No. 48, accepting the deed of Anthony De Maria and Grace De Maria, executed in favor of The City of San Diego, conveying to said City an easement and right of way for water main purposes, through, along and across a portion of Lot 36, Block 54, Park Villas, according to Map No. 438; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

ORDINANCE NO. 5107, New Series, recorded on Microfilm Roll No. 48, appropriating the sum of \$47,000.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the construction of the Pacific Beach Vista Storm Drain, in said City, was on motion of Councilman Godfrey, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan and Wincote.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan and Wincote.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5108, New Series, recorded on Microfilm Roll No. 48, appropriating the sum of \$29,000.00 from the Sewer Bond Fund (Fund No. 713), for the purpose of providing funds for the replacement of a sewer running easterly from the Pacific Beach Pumping Station, in said City, was on motion of Councilman Dail, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Godfrey, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan and Wincote.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5109, New Series, recorded on Microfilm Roll No. 48, appropriating the sum of \$5,000.00 from the Unappropriated Balance of The City of San Diego, for the purpose of providing funds for the installation of meters on the water service of the San Diego Zoological Gardens, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Thereupon, on motion of Councilman Dail, seconded by Councilman Schneider, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5110, New Series, recorded on Microfilm Roll No. 48, appropriating the sum of \$2,400.00 from the Unappropriated Balance of The City of San Diego, and transferring the same to account 463, of 40.34, General Appropriations of said City, for the purpose of providing additional funds to pay street assessments on improvement of Fortuna Avenue, from Riviera Drive to Ingraham Street, was on motion of Councilman

Godfrey, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5111, New Series, recorded on Microfilm Roll No. 48, appropriating the sum of \$2,000.00 from the Unappropriated Balance of The City of San Diego, for the purpose of providing funds to pay the costs incidental to the conduct of a survey of San Diego Traffic Conditions, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5112, New Series, recorded on Microfilm Roll No. 48, dedicating certain public land being portions of Lots 18, 19, 20 and 23, of New Riverside for portions of Public Streets and naming the same Hurlbut Street and Afton Road, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5113, New Series, recorded on Microfilm Roll No. 48, establishing the grade of the Alley in Block 197, City Heights, in the City of San Diego, California, according to Map No. 1007, on file in the office of the County Recorder of San Diego County, California, between the southerly line of Polk Avenue and the northerly line of University Avenue, was on motion of Councilman Schneider, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5114, New Series, recorded on Microfilm Roll No. 48, establishing the grade of the Alley in Block 21, Fairmount Addition, according to Map No. 1035 on file in the Office of the County Recorder of San Diego County, California, between the north line of University Avenue and the south line of Polk Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Thereupon, on motion of Councilman Dail, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan and Wincote.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5115, New Series, recorded on Microfilm Roll No. 48, establishing the grade of the Alley in Block 30, Ocean Beach, according to Map No. 279 on file in the office of the County Recorder of San Diego County, California, between the northwesterly line of Ebers Street and the southeasterly line of Sunset Cliffs Boulevard, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5116, New Series, recorded on Microfilm Roll No. 48, establishing the grade of the Alley in Block 223, Pacific Beach, according to Map No. 854 on file in the office of the County Recorder of San Diego County, California, between the easterly line of Cass Street and the westerly line of Dawes Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5117, New Series, recorded on Microfilm Roll No. 48, establishing the grade of Beaumont Avenue, in The City of San Diego, California, between the northwesterly line of Colima Street and the southeasterly line of Forward Street, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5118, New Series, recorded on Microfilm Roll No. 48, establishing the grade of 53rd Street in The City of San Diego, California, between the southerly boundary line of Furlow Heights Unit No. 1, according to Map No. 2504 on file in the Office of the County Recorder of San Diego County, California, and a line parallel to and distant 200.00 feet southerly from said boundary line, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5119, New Series, recorded on Microfilm Roll No. 48, establishing the grade of Guy Street, in The City of San Diego, California, between the southwesterly prolongation of the southeasterly line of Coutts Street, and a line parallel to and distant 300.00 feet southeasterly from the southwesterly prolongation of the southeasterly line of Coutts Street, was on motion of Councilman Godfrey, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.


Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilmen Swan, Wincote.

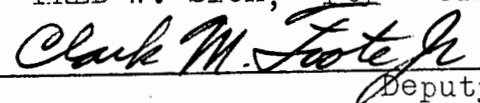
Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

Communication from the City Engineer, approved by the City Manager, reporting on bids received for the construction of Murray Canyon Trunk Sewer from Mission Valley Road to the City boundary, by City contract, was presented.

RESOLUTION NO. 105874, recorded on Microfilm Roll No. 48, accepting the bid of Beason & Taylor for the construction of the Murray Canyon Trunk Sewer, from Mission Valley Road to the City Boundary, in the City of San Diego, California, at the unit prices set forth in their bid, which unit prices amount to a total of \$97,339.30, estimated; awarding the contract, and authorizing the City Manager to execute the same; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

There being no further business to come before the meeting, on motion of Councilman Schneider, seconded by Councilman Dail, the meeting was adjourned, at the hour of 12:20 P.M.


Mayor of The City of San Diego, California.

(ATTEST) FRED W. SICK, City Clerk,
By  Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, March 18th, 1952.

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, and Mayor Butler.

Absent----Councilman Godfrey.
Clerk-----Fred W. Sick.

On motion of Councilman Schneider, seconded by Councilman Wincote, the minutes of the Regular Meeting of Tuesday, March 11th, 1952, and the Regular Meeting of Thursday, March 13th, 1952, were approved without being read, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Quimby Street, between the northwesterly line of Willow Street and the southwesterly prolongation of the northwesterly line of Plum Street, and a portion of Plum Street, as described in Resolution of Intention No. 104945, the Clerk reported that four bids had been received, which bids were presented to the Council.

On motion, duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of R. E. Hazard Contracting Co., accompanied by a bond from the Pacific Indemnity Company in the amount of \$1100.00; which bid was given Document No. 446398;

The bid of Daley Corporation, accompanied by a bond from the Glens Falls Indemnity Company in the amount of \$1200.00; which bid was given Document No. 446399;

The bid of V. R. Dennis Construction Co., accompanied by a bond from the American Surety Company of New York in the amount of \$1300.00; which bid was given Document No. 446400;

Bid of Griffith Company, accompanied by a bond from the National Surety Corporation in the amount of \$1100.00; which bid was given Document No. 446401. Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Savoy Street, between the northerly line of La Paloma Street and the southerly line of Varona Street, as described in Resolution of Intention No. 104946, the Clerk reported that four bids had been received, which bids were presented to the Council.

On motion, duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of R. E. Hazard Contracting Co., accompanied by a bond from the Pacific Indemnity Company in the sum of \$1100.00; which bid was given Document No. 446402;

The bid of Daley Corporation, accompanied by a bond from the Glens Falls Indemnity Company in the sum of \$1000.00; which bid was given Document No. 446403;

The bid of V. R. Dennis Construction Co., accompanied by a bond from the American Surety Company of New York in the sum of \$1200.00; which bid was given Document No. 446404;

The bid of Griffith Company, accompanied by a bond from the National Surety Corporation in the sum of \$1000.00; which bid was given Document No. 446405.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the installation of sewer mains and appurtenances in 66th Street, Madera Street, Brooklyn Avenue, Wunderlin Avenue, Broadway, Bittern Street, Akins Avenue and Evelyn Street, as described in Resolution of Intention No. 104947, the Clerk reported that five bids had been received, which bids were presented to the Council.

On motion, duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of V. R. Dennis Construction Co., accompanied by a bond from the National Surety Company in the sum of \$5,000.00; which bid was given Document No. 446406;

The bid of L. B. Butterfield, accompanied by a bond from the Maryland Casualty Company in the sum of \$5000.00; which bid was given Document No. 446407;

The bid of Charles J. Dorfman, accompanied by a bond from the Peerless Casualty Company in the sum of \$5,000.00; which bid was given Document No. 446408;

The bid of Cameron Bros. Const. Co., accompanied by a bond from the Glens Falls Indemnity Company in the sum of \$4500.00; which bid was given Document No. 446409;

The bid of H. R. Breeden, accompanied by a bond from the Hartford Accident and Indemnity Company in the sum of \$4000.00; which bid was given Document No. 446410.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said bids were referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 105353, for the paving and otherwise improving of the Alley in Block 6, Mountain View; within the limits and as particularly described in said Resolution; the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Wincote, seconded by Councilman Swan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 105352, for the paving and otherwise improving of the Alley in Block 20, Fairmount Addition to City Heights; within the limits and as particularly described in said Resolution; the Clerk reported that a written protest had been received from property owners, contained in Document No. 446232, which was presented and read.

The City Engineer reported that the protests represented 36.7% of the property in the assessment district. He also stated that the original petition for the work was signed by 52.1% of the frontage property owners.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

All interested persons having been heard, RESOLUTION NO. 105875, recorded on Microfilm Roll No. 48, overruling and denying the protest of property owners, filed on March 17, 1952, under Document No. 446232, against the work of improving the Alley in Block 20, Fairmount Addition to City Heights as provided in Resolution of Intention No. 105352; overruling and denying all other protests; was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Thereupon, on motion of Councilman Dail, seconded by Councilman Schneider, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 105452, for the paving and otherwise improving of the portions of Reed Avenue and Mission Boulevard; within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

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

On motion of Councilman Kerrigan, seconded by Councilman Dail, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2056, made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 245, Mission Beach and Mission Boulevard, under Resolution of Intention No. 101110, the City Clerk reported that written appeals had been received from George Hollingshead, Daisy Hollingshead, Glen C. Bushby, Frances T. Bushby, A. J. Howlett and Grace E. Howlett and Mrs. Earle Deeds; which appeals were read.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Mr. A. J. Howlett protested orally against the high cost of the work.

The City Engineer explained the need for encasing sewers in concrete, etc.

All interested persons having been heard, RESOLUTION NO. 105876, recorded on Microfilm Roll No. 48, overruling and denying the appeal of George Hollingshead and Daisy Hollingshead, filed under Document No. 446206; the appeal of Glen C. Bushby and Frances T. Bushby, filed under Document No. 446231; the appeal of A. J. Howlett and Grace E. Howlett, filed under Document No. 446239; and the appeal of Mrs. Earle Deeds, filed under Document No. 446500; from the Street Superintendent's Assessment No. 2056, made to cover the costs and expenses of the work of paving and otherwise improving the Alley in Block 245, Mission Beach; and Mission Boulevard, under Resolution of Intention No. 101110; overruling and denying all other appeals, written or verbal; confirming and approving the Street Superintendent's Assessment No. 2056; authorizing and directing the said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; and authorizing him to record said warrant, diagram and assessment in the office of said Street Superintendent; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lamps located in Sunset Cliffs Lighting District No. 1, for a period of one year from and including January 15th, 1952, the City Clerk reported that no written protests had been received.

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

Mrs. Florence M. DePue, of 1150 Barcelona Drive, owner of Lot 13, Block J, Riviera Villas, protested orally against the use of lights near her home. She stated that as owner of a corner lot she wishes the lights turned off near her property.

City Attorney Jean F. DuPaul explained the status of the proceeding, and suggested a petition to discontinue such lighting as property owners desired.

All interested persons having been heard, RESOLUTION NO. 105877, recorded on Microfilm Roll No. 48, overruling and denying the appeal of Mrs. Florence M. DePue, 1150 Barcelona Drive, from the City Engineer's Report and Assessment for Sunset Cliffs Lighting District No. 1; overruling and denying all other appeals, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105878, recorded on Microfilm Roll No. 48, confirming and adopting the City Engineer's report and assessment for Sunset Cliffs Lighting District No. 1, filed in the office of the City Clerk February 8th, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105528, for the paving and otherwise improving of the Alley in Block 19, Ocean Beach; and Public Rights of Way in Lots 3 and 4, Block 19, Ocean Beach, within the limits and as particularly described in said resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, RESOLUTION NO. 105879, recorded on Microfilm Roll No. 48, determining that the proposed improvement of paving and otherwise improving of the Alley in Block 19, Ocean Beach; and Public Rights of Way in Lots 3 and 4, Block 19, Ocean Beach, within the limits and as particularly described in Resolution No. 105528, of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment; also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105529, for the paving and otherwise improving of A Street, between 17th Street and 18th Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, RESOLUTION NO. 105880, recorded on Microfilm Roll No. 48, determining that the proposed improvement of paving and otherwise improving of A Street, between 17th Street and 18th Street, within the limits and as particularly described in Resolution No. 105529, of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment; also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105530, for the paving and otherwise improving of Archer Street, Van Nuys Street, Cass Street, Agate Street, Dawes Street and the Alley in Block 2, Map of Pueblo Lot 1783, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. Mr. O. E. Nolin, 5325 Cass Street, turned in a written protest. He inquired orally if Cass Street is going to be paved. The City Engineer replied that it was not. As a resident of Archer Street stated, other streets in the neighborhood needed immediate paving.

A motion was made by Councilman Schneider to abandon the present proceedings and to include a portion of Cass Street, on which Mr. Nolin resided in new paving proceedings. No one seconded this motion, which was withdrawn by Councilman Schneider.

All interested persons having been heard, RESOLUTION NO. 105881, recorded on Microfilm Roll No. 48, overruling the protest of O. E. Nolin, 5325 Cass Street, filed under Document No. 446642; overruling all other protests, written or oral; and determining that the proposed improvement of paving and otherwise improving of Archer Street, Van Nuys Street, Cass Street, Agate Street, Dawes Street and the Alley in Lot 2, Map of Pueblo Lot 1783, within the limits and as particularly described in Resolution No. 105530, of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment; also finding and determining that the public convenience and necessity require the proposed improvements; and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 105531, for the installation of sewer mains and appurtenances in Sherman Street, Alley in Block 2, Subdivision of Pueblo Lot 277, Houston Street, Kurtz Street and Public Rights of Way, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

Thereupon, RESOLUTION NO. 105882, recorded on Microfilm Roll No. 48, determining that the proposed improvement of installing sewer mains and appurtenances in Sherman Street, Alley in Block 2, Subdivision of Pueblo Lot 277, Houston Street, Kurtz Street and Public Rights of Way, within the limits and as particularly described in Resolution No. 105531, of Preliminary Determination, is feasible and that the lands to

be assessed therefor will be able to carry the burden of such proposed assessment; also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set to consider the terms and provisions of a proposed Ordinance Incorporating Lots A to F, Block 231, Horton's Addition, in The City of San Diego, California, into "R-4" Zone, as defined by Ordinance No. 8924 of the Ordinances of said City and amendments thereto; and repealing Ordinance No. 3037 (New Series), adopted July 17, 1945, all papers in connection with the proposed zoning were presented.

The City Clerk reported that no written protests had been filed.

Thereupon, the Mayor inquired if any interested persons were present who desired to be heard.

A motion was made by Councilman Kerrigan, seconded by Councilman Schneider, to file the proposed Ordinance. This motion was later withdrawn.

Mr. Elmer Hartman spoke. He said the property was owned by the Union-Tribune Publishing Company. He objected to the rezoning.

Discussion followed, participated in by Councilmen Schneider, Kerrigan and the City Manager.

Glenn Rick explained the former rezoning to a "C" Zone, on petition from the Union-Tribune Publishing Company, as a site for a new Publishing Plant. He said the plans had been changed; no plant was to be erected; and the property should revert to an "R-4" Zone.

The City Manager stated that the property is owned by an Estate, and that the owners want the land left as a "C" Zone.

All interested persons having been heard, on motion of Councilman Kerrigan, seconded by Councilman Schneider, the matter was continued until the meeting of March 25th, 1952, at the hour of 10:00 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set to consider the terms and provisions of a proposed Ordinance Incorporating portions of Lots 1 and 2, Lemona, and portion of Pueblo Lots 1180 and 1189, into "CP" Zone, as defined by Chapter X, Article 1, Division 4 of the San Diego Municipal Code; and repealing Ordinance No. 3729 (New Series), insofar as the same conflicts therewith; all papers in connection with the proposed zoning were presented.

The City Clerk reported that no written protests had been filed.

Thereupon, the Mayor inquired if any interested persons were present who desired to be heard.

The requested "CP" Zone was explained by Glenn Rick. He stated it was for a parking lot, to provide badly needed off-street parking.

All interested persons having been heard, ORDINANCE NO. 5120, New Series, Incorporating portions of Lots 1 and 2, Lemona, and portion of Pueblo Lots 1180 and 1189 of the Pueblo Lands of The City of San Diego, in The City of San Diego, California into "CP" Zone, as defined by Chapter X, Article 1, Division 4 of the San Diego Municipal Code; and Repealing Ordinance No. 3729 (New Series), adopted May 4, 1948, insofar as the same conflicts herewith; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilman Swan, Wincote, Schneider, Kerrigan, Dail and Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

Petition of Residents protesting against conditions at 4545 El Cajon Boulevard, at a Used Car Dealer's Lot, was presented; and on motion of Councilman Kerrigan, seconded by Councilman Wincote, referred to the City Manager.

Petition of First District Department of California Veterans of Foreign Wars of the United States for permission for local units to sell Buddy Poppies on the streets on May 23rd and 24th, 1952, was presented; and on motion of Councilman Kerrigan, seconded by Councilman Wincote, referred to the City Manager.

Claim of Robert H. Bollum, based on damage by a City garbage truck, in the amount of \$14.49, was presented.

RESOLUTION NO. 105883, recorded on Microfilm Roll No. 48, referring the Claim of Robert H. Bollum, 1016 Tarento Drive, to the Pacific Indemnity Company; said claim being contained in Document No. 446110; was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent reporting on five bids received from Electrical Supply Companies for furnishing 59 fluorescent fixtures to the Electric Department; approved by the City Manager, was presented.

RESOLUTION NO. 105884, recorded on Microfilm Roll No. 48, accepting the bid of Electric Supplies Distributing Company of San Diego to furnish The City of San Diego with fifty-nine (59) fluorescent fixtures for the sum of \$1318.30, plus State sales tax; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on bids received for furnishing the City's requirements of Cast Iron Pipe and Fittings, Gate Valves and Tapping Valves and Sleeves; proposals having been furnished by

twelve bidders; was presented.

RESOLUTION NO. 105885, recorded on Microfilm Roll No. 48, accepting the bid of United States Pipe & Foundry Company of Los Angeles, to furnish the City with a long list of Cast Iron Pipe and Fittings, at the prices and in accordance with the terms fully set forth in said Resolution; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105886, recorded on Microfilm Roll No. 48, accepting the bid of Industries Supply Company to furnish the City of San Diego with numerous items of Hydrant Extensions, Tapping Sleeves, Tapping Valves and Air and Vacuum Valves, at the prices and in accordance with the terms fully set forth in said Resolution; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105887, recorded on Microfilm Roll No. 48, accepting the bid of Standard Iron Works of San Diego to furnish the City of San Diego with 392 Cast Iron Fittings, fully described in said Resolution, at the prices and in accordance with the terms fully set forth in the Resolution; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, approved by the City Manager, reporting on four bids received for erection of a unit of nine additional kennels at the City Dog Pound, was presented.

RESOLUTION NO. 105888, recorded on Microfilm Roll No. 48, accepting the bid of J. P. Bender Jr. Construction Company for the erection of a unit of nine additional Kennels at the City Dog Pound for The City of San Diego for a lump sum of \$6140.00; and in addition, Alternate 1, \$660.00 for installation of an additional window, altering office door and porch; awarding the contract and authorizing the City Manager to execute the same; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail and Mayor Butler. Nays--Councilman Wincote. Absent--Councilman Godfrey.

RESOLUTION NO. 105889, recorded on Microfilm Roll No. 48, approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of a 36-inch pressure sewer replacement for the Witherby Street Pumping Station, San Diego, California, filed under Document No. 446189; approving the wage scale contained in said specifications; authorizing the Purchasing Agent to proceed to publish in accordance with law, notice to contractors calling for bids for the work hereinabove described, in accordance with the plans and specifications hereinabove referred to; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Certificate of the City Clerk covering canvass of the Municipal Special Elections held on Tuesday, February 26th, 1952, was presented; contained in Document No. 446164. City Attorney Jean F. DuPaul advised the Council that the formal declaration of results had not yet been prepared by his office.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, the matter was continued until the meeting of Thursday, March 20th, 1952, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Communication from the City Manager announcing the appointment of Dr. Robert McCullouche Griffin, President of Balboa University, to the City Planning Commission to succeed Mr. Philip L. Gildred, whose term expires April 12, 1952, was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

Communication from the City Manager recommending filing communication from Owen Williams requesting a lease of from five to ten acres in the Camp Callan area for a trailer court was presented and on motion of Councilman Swan, seconded by Councilman Dail, ordered filed.

Communication from the City Manager recommending filing petition of residents in the vicinity of 1803 Imperial Avenue, for removal of certain trailers located at that address was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, ordered filed.

Communication from the City Manager recommending filing petition from the Ancient Egyptian Order of Sciots for permission to use the Isle opposite Mission Beach in connection with the Isle of Chyos Ceremonial on June 6th and 7th, 1952; and for a parade during the same ceremonies; was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

Communication from the City Engineer recommending amending proceedings for paving Kendall Street, Chico Street and Shasta Street; and repeal of Resolution No. 103280, was presented.

RESOLUTION NO. 105890, recorded on Microfilm Roll No. 48, directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the paving

and otherwise improving of Kendall Street, between Pacific Beach Drive and La Playa Avenue; Chico Street, between Shasta Street and Lamont Street; Shasta Street, between Pacific Beach Drive and Fortuna Avenue as it formerly existed; La Playa Avenue, between the southerly prolongations of the easterly and westerly lines of Kendall Street; Crown Point Drive, between the southerly prolongation of the easterly and westerly lines of Kendall Street; as recommended by the City Engineer under Document No. 446155; rescinding Resolution No. 103280; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, contained in Document No. 445425, recommending an extension of time to Al E. Riley to complete paving work in Blocks 194 to 201, Mission Beach; and Petition of Al E Riley for said extension, contained in Document No. 445270, were presented and on motion of Councilman Schneider, seconded by Councilman Swan, ordered filed.

A new Communication from the Street Superintendent, contained in Document No. 446157, recommending an extension of time to Al E. Riley on contract for paving the Alleys in Blocks 194 through 201, Mission Beach, was presented; bearing the approval of the City Manager.

RESOLUTION NO. 105891, recorded on Microfilm Roll No. 48, authorizing the Street Superintendent to grant Al E. Riley a 60-day extension of time for the completion of the contract for the improvement of the Alleys in Blocks 194 to 201, Mission Beach, in accordance with his recommendation contained in Document No. 446157, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Arthur H. Marston commenting on excessive increase in cost of maintaining lighting districts; specifically Seventh Avenue Lighting District No. 1 and Eighth Avenue Lighting District No. 1; was presented and on motion of Councilman Schneider, seconded by Councilman Dail, ordered filed.

RESOLUTION NO. 105892, recorded on Microfilm Roll No. 48, approving the plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 42, City Heights; and approving Plat No. 2332, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said alley; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105893, recorded on Microfilm Roll No. 48, approving the plans, drawings, typical cross-sections, profiles and specifications for the paving of the East and West Alley and of the North and South Alley in Block 44, W. P. Herbert's Subdivision, as contained in Document No. 445916; and approving Plat No. 2319, showing the exterior boundaries of the district to be included in the assessment for said work and improvement; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105894, recorded on Microfilm Roll No. 48, approving the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of Langley Street, between the northerly line of K Street and the southerly line of Island Avenue, contained in Document No. 445918; and approving Plat No. 2323, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 105895, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of the Alley in Block F, Referee's Partition Map of East One-half of Pueblo Lot 1110, as described in Resolution of Intention No. 105354, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 105896, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of the portions of Rex Avenue, Shiloh Road, Wightman Street, Public Rights of Way in Lots 9 and 10, Block 3, Berkeley Heights, as described in Resolution of Intention No. 105355, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 105897, recorded on Microfilm Roll No. 48, for closing of portions of 33rd Street, south of Ocean View Boulevard, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 105898, recorded on Microfilm Roll No. 48, for the furnishing of electric current for lighting of the ornamental street lights located on or along the streets in Garnet Street Lighting District No. 1, for a period of one year from and including January 30, 1952, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 105899, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of the Alley in Block 40, Resubdivision of Blocks H and I, Teralta, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 105900, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of the North and South Alley in Block 244, University Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 105901, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of Felspar Street, between the easterly line of Dawes Street and the westerly line of Everts Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 105902, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of Ingraham Street, between the northerly line of La Playa Avenue and the northerly line of Crown Point, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 105903, recorded on Microfilm Roll No. 48, for the furnishing of electric current for the lighting of certain street lamps on mast arms attached to poles located in Mission Beach Lighting District No. 1, for the period of one year from and including May 15, 1952, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105904, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of the Alley in Block 42, City Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105905, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of the Alleys in Block 44, W. P. Herbert's Subdivision, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 105906, recorded on Microfilm Roll No. 48, for the paving and otherwise improving of Langley Street, between K Street and Island Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105907, recorded on Microfilm Roll No. 48, appointing time and place for hearing protests for the furnishing of electric current for the lighting of the ornamental street lights located on or along streets in Talmadge Park Lighting District No. 4, for the period of one year from and including April 1, 1952, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105908, recorded on Microfilm Roll No. 48, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the work of paving and otherwise improving of Island Avenue, between the west line of Front Street and the west line of Union Street, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105909, recorded on Microfilm Roll No. 48, approving the diagram of the property affected or benefited by the work of improvement to be done on paving and otherwise improving of Dodson Street, between Market Street and K Street, as described in Resolution of Intention No. 102943, and to be assessed to pay the cost and expenses thereof, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105910, recorded on Microfilm Roll No. 4, approving the diagram of the property affected or benefited by the work of improvement to be done on paving and otherwise improving of 59th Street and Kenwood Street, as described in Resolution of Intention No. 102545, and to be assessed to pay the expenses thereof, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105911, recorded on Microfilm Roll No. 48, approving the diagram of the property affected or benefited by the work of improvement to be done on paving and otherwise improving of Thorn Street and 45th Street, as described in Resolution of Intention No. 103134, and to be assessed to pay the expenses thereof, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105912, recorded on Microfilm Roll No. 48, adopting the recommendation of the City Engineer, contained in Document No. 445896, that the assessment districts heretofore ordered by Resolution No. 95916 for the improvement of a portion of Dalbergia Street, and by Resolution No. 90727, for the improvement of a portion of Yama Street, be combined; directing the City Engineer to proceed in accordance with his said recommendation; was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105913, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445384 for the paving of the Alley in Block 156, Pacific Beach; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district of lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said improvement; further directing said City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 104774 for the improvement of the Alley in Block 158, Pacific Beach; was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105914, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 440235, for the grading, paving and otherwise improving of Hobart Street, between Millar Street and 63rd Street; and a petition contained in Document No. 443927, for the improvement of Rose Street, between Millar Street and 63rd Street; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district of lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the said improvement; including any necessary work in 63rd Street; further directing said City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 103281, for the improvement of portions of Millar Street and Stewart Street; all in accordance with the City Engineer's recommendation filed under Document No. 445899; was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105915, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445331, for the grading, paving and otherwise improving of 33rd Street, between Imperial Avenue and Steel Street; and Gilette Street, between 33rd Street and 34th Street; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district of lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the said improvement; further directing said City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 97615 for the improvement of Steel Street; was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105916, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445327, for the improvement of Oliver Avenue, between Haines Street and Ingraham Street; and a petition contained in Document No. 445607 for the improvement of Oliver Avenue, between the westerly line of Gresham Street and Haines Street; directing the City Engineer to furnish the Council with a description of the assessment District, and a plat showing the exterior boundaries of the district of lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the said improvement; further directing said City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 103454, for the improvement of Gresham Street; was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105917, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445333, for the grading and paving of Thorn Street, between 41st Street and Central Avenue; directing the City Engineer to furnish the Council with a description of the assessment District, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the said improvement; further directing said City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 102475 for the improvement of Central Avenue, between the northerly line of Thorn Street and a line approximately 450 feet south of Redwood Street; was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105918, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445338, for the grading and paving of Winona Avenue, between Trojan Avenue and Orange Avenue, except the northerly 300 feet of the block; and the petition contained in Document No. 445339, for the grading, paving and otherwise improving of 50th Street, between Orange Avenue and Trojan Avenue; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district of lands in said City to be affected and benefited by and to be assessed to pay the costs, and expenses of the grading, paving, etc. of said portion of Winona Avenue; further directing the City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 103523 for the improvement of 50th Street, between Orange Avenue and the canyon to the south; was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105919, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 434940, for the grading and paving of the Alley in Block 7, City Heights Annex No. 2; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district of lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105920, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 439264, for the installation of sewers in the Alley in Block 136, City Heights; directing the City Engineer to furnish the Council with a

description of the assessment district, and a plat showing the exterior boundaries of the district of lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the installation of sewers to serve Block 136, City Heights, Rights of Way over portions of Lots in said Block 136, and portions of Quince Street and Lexington Avenue, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105921, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 441212, for the grading and paving of the Alley in Block 17, Ocean Beach; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district of lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105922, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445335, for the grading, paving and otherwise improving of the Alleys in Block 45, Ocean Beach; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district of lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105923, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445334 for the grading, paving and otherwise improving of the Alley in Block 75, Ocean Beach; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district of lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105924, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445465, for the grading and paving of the Alley in Block 200, Pacific Beach; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district of lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105925, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445336, for the grading, paving and otherwise improving of the Alley in Block 69, Park Villas; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the grading and paving of said Alley, including the installation of sewer laterals, water services and retaining walls if required; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105926, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 441211, for the grading and paving of the Alley in Block 231, University Heights; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district of lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the said work and improvement; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105927, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 439656, for the grading, paving and otherwise improving of Arista Street, between Moore Street and Jefferson Street; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district of lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the said work and improvement; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105928, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445342, for the grading, paving and installation of curbs on 62nd Street, between Brooklyn Avenue and Akins Avenue; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district of lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105929, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 440232 for the grading and paving of Cottonwood Street, between Una Street and Vesta Street; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the said work and improvement; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105930, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445377, for the grading, paving and otherwise improving of Diamond Street, between Haines Street and Lamont Street; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the said work and improvement, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105931, recorded on Microfilm Roll No. 48, granting the petitions contained in Document No. 445328 and Document No. 445329, for the installation of street lights and sidewalks on Diamond Street, between Mission Boulevard and Cass Street; Directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105932, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 440236, for the grading and paving of Dixon Place, between the center line of Chatsworth Boulevard and the northwesterly line of Warrington Street; and the petition contained in Document No. 445341, for the grading, paving and installation of curbs in Santa Cruz Avenue, from Redondo Street southerly; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105933, recorded on Microfilm Roll No. 48, granting the petitions contained in Documents Nos. 440233 and 444477, for the grading, paving and otherwise improving of Honeycutt Street, between Pacific Beach Drive and Crown Point Drive; and the petition contained in Document No. 440336, for the grading, paving and otherwise improving of Morrell Street, between Pacific Beach Drive and Fortuna Avenue; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105934, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 440234 for the grading, paving and otherwise improving of Jarvis Street, between Scott Street and the southerly termination, and the petition contained in Document No. 441209 for the grading, paving and otherwise improving of Ingelow Street, between Rosecrans Street and Scott Street, and Scott Street, between Jarvis Street and Harbor Drive; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the said work and improvement; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105935, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445463 for the grading, paving and otherwise improving of Jennings Street, between Silver Gate Avenue and the dead end to the east, and Albion Street, between Jennings Street and the center line of Talbot Street; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105936, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445343, for the grading, paving and otherwise improving of La Paz Drive, for its entire length; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105937, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445337 for the grading, paving and otherwise improving of Mendocino Boulevard, between Voltaire Street and the northerly line of Greene Street; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105938, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445332, for the installation of sewers in portions of Paradise Hills and Tres Lomas; directing the City Engineer to furnish the Council with

a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, and expenses of said work and improvement; including a portion of La Huerta; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105939, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445376, for the installation of sewers in Silver Terrace and adjacent territory; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the installation of sewers in a portion of the Addition to Silver Terrace and a portion of the Amended Map of Silver Terrace; a portion of Blocks 353, 354, 355, 356 and 357, Old San Diego; J. P. Jones Subdivision, Bay View Quarter Acres, Bay View Addition, and portions of Pueblo Lots 297, 298, 299, 300, 1100 and 1101; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105940, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 441210, for the grading, paving and otherwise improving of Thomas Avenue, between Jewell Street and the easterly line of Kendall Street; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105941, recorded on Microfilm Roll No. 48, granting the petition contained in Document No. 445464 for the grading and paving of Tuberoso Street, between Manzanita Drive and Poplar Street; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105942, recorded on Microfilm Roll No. 48, granting property owners permission to grade, pave and otherwise improve Cowley Way, Deerpark Drive, August Street, July Street and Burgener Boulevard, in and adjoining Tecolote Heights, by private contract; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105943, recorded on Microfilm Roll No. 48, granting property owner permission to grade and otherwise improve a portion of Hendricks Avenue by Private Contract, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105944, recorded on Microfilm Roll No. 48, granting permission to Philip Koenig, 4502 - 47th Street, to install a soil line with a fall of 1/16" to the foot, on Lot 586 Talmadge Park, Unit No. 3, for the reason that the sewer in the street is too high to permit a fall of 1/4" per foot; subject to the approval of the City Manager and Department of Public Health, and upon the express condition that said City shall be held free and clear of any claim for damages by reason of the installation, operation and maintenance of said sewer line; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105945, recorded on Microfilm Roll No. 48, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Kite Street at Upas Street;
Ingalls Street at Montecito Way;
Cleveland Avenue at Monroe Avenue.

RESOLUTION NO. 105946, recorded on Microfilm Roll No. 48, authorizing the City Attorney to sign for and on behalf of The City of San Diego an appearance in Superior Court Action No. 170862, relative to the closing of Webster Street, Wadleigh Street, et al., and to take any necessary action to quiet title therein, etc., was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 5121, New Series, recorded on Microfilm Roll No. 48, dedicating certain Public Lands of The City of San Diego, California, in Pueblo Lots 1202 and 1203, as and for portions of Public Highways and naming the same Linda Vista Road, East Tecolote Road and Wellington Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail and Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5122, New Series, recorded on Microfilm Roll No. 48, appropriating the sum of \$74,000.00 from the Sewer Bond Fund of The City of San Diego, (Fund No. 713), for the purpose of providing funds for the City's share of the cost of the construction of The Murray Canyon Trunk Sewer, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Dail, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5123, New Series, recorded on Microfilm Roll No. 48, appropriating the sum of \$400.00 from the Unappropriated Balance of The City of San Diego, for the purpose of providing funds to pay for the cost of moving San Diego's first School Building, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

Communication from the City Auditor and Comptroller, contained in Document No. 444736, requesting that the Council give serious consideration to a Charter amendment that would more clearly set forth the basis on which expenditures may be made for promotional and advertising purposes, was withdrawn from Conference and ordered filed.

The following matters were brought up by unanimous consent, on motion of Councilman Dail, seconded by Councilman Kerrigan:

RESOLUTION NO. 105947, recorded on Microfilm Roll No. 48, finding and determining certain streets to be Major City Streets, within the City of San Diego; endorsing and recommending the proposed System of Major City Streets to the State Division of Highways for its approval; and repealing Resolution No. 100827, adopted January 4th, 1952; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The streets involved, the limits between which they are considered Major City Streets, the approximate mileage involved, and other pertinent data, are fully set forth in said Resolution.

RESOLUTION NO. 105948, recorded on Microfilm Roll No. 48, authorizing the City Manager to enter into a lease agreement between H. A. Oliver and The City of San Diego and the County of San Diego for the parking lot south of the Civic Center Building, in accordance with the terms of the form of lease on file in the office of the City Clerk under Document No. 446174; providing that this resolution shall be and become effective upon the adoption by the Board of Supervisors of the County of San Diego of a resolution in terms and figures substantially as set forth in this Resolution; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

At this time a majority of the members of the Council signed contracts with the San Diego Gas & Electric Company for the furnishing of electric current for:
Logan Avenue Lighting District No. 1;
Pacific Highway Lighting District No. 1;
El Cajon Boulevard Lighting District No. 1;
Montemar Lighting District No. 1

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 11:15 A.M., on motion of Councilman Dail, seconded by Councilman Kerrigan.

Walter E. Schneider

Vice Mayor of The City of San Diego, California.

(ATTEST)

FRED W. SICK, City Clerk

By

Clark M. Footak

Deputy.

REGULAR MEETING
Chamber of the Council of The City of San Diego, California,
Thursday, March 20th, 1952.

A Regular meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Claude Chandler, Clara Chandler and Harry Epsten, by Morey S. Levenson, their Attorney, from the decision of the Zoning Committee denying permission to erect a double face neon sign on pole in connection with existing El Rey Trailer Plaza and trailer sales lot, size 9 ft. 3 in. by 4 ft. 3 in. overall height, 18 ft. 3 in. on Lots 314 through 318, Sunshine Gardens, 303- 47th Street, in Zone R-4; because the sign does not comply with the Sign Ordinance in an R-4 Zone which permits one sign designating the principle use of the property; the proposed sign advertising the trailer sales, which is not the principal use of this property, all papers in connection with the matter were presented.

Glenn Rick answered questions from Councilman Wincote relative to the sign regulations. He submitted a plat showing zoning in the subject area; and explained existing uses in the R-4 Zone.

Discussion by Councilmen Dail, Wincote, Schneider, Harry Epsten and Glenn Rick followed.

Attorney Morey S. Levenson spoke on behalf of his clients. He stated that the trailer park was one of the best in the City; that permit for trailer sales had been granted, and the requested sign was needed for a successful operation. He submitted photographs of the property; and answered questions by Councilmen Dail, Kerrigan, Wincote and Swan.

All interested persons having been heard, RESOLUTION NO. 105949, recorded on Microfilm Roll No. 48, sustaining the appeal of Claude Chandler, Clara Chandler and Harry Epsten, by Morey S. Levenson, attorney, Bank of America Building, San Diego, from the decision of the Zoning Committee in denying by its Resolution No. 6221, application No. 10112, for variance to the provisions of Ordinance No. 8924 and Ordinance No. 78, (New Series), to erect a double face neon sign on pole in connection with existing El Rey Trailer Plaza and trailer sales lot, size 9 feet 3 inches by 4 feet 3 inches, overall height 18 feet 3 inches, on Lots 314 through 318, Sunshine Gardens, 303 - 47th Street, in Zone R-4; overruling said Zoning Committee decision; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Petition of Residents for a library in College Heights; stating that the City owns a site on College Avenue next to the Fire Hall; was presented and on motion of Councilman Dail, seconded by Councilman Kerrigan, referred to the City Manager.

Claim of Larry H. Gerwig, based on damage to his automobile, with no amount stated, was presented.

RESOLUTION NO. 105950, recorded on Microfilm Roll No. 48, referring the claim of Larry H. Gerwig, 9265 Virginian Lane, contained in Document No. 446200, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Claim of Harbor Insurance Company, based on damage from an automobile collision between City equipment and an automobile owned by Lorenzo Giacalone, in the amount of \$154.88, was presented.

RESOLUTION NO. 105951, recorded on Microfilm Roll No. 48, referring the claim of Harbor Insurance Company, contained in Document No. 446201, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Claim of Reggie Jensen, based on damage to equipment of the Bridgford Meat Company by a garbage truck operator, in the amount of \$17.00, was presented.

RESOLUTION NO. 105952, recorded on Microfilm Roll No. 48, referring the claim of Reggie Jensen, Manager of the Bridgford Meat Company, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission recommending denial of petition for rezoning from R-1 to R-2 Zone of eight lots in O. D. Arnold's Westwood Hills Unit No. 6, was presented.

Report from the City Planning Commission was read.

Mr. Allen L. Rausch spoke in opposition to the proposed re-zoning. He stated that eighteen property owners had signed a protest against the proposed re-zoning.

All interested persons having been heard; RESOLUTION NO. 105953, recorded on Microfilm Roll No. 48, denying the petition for rezoning Lots 414, 417, 425, 426 and 438 through 441 of Westwood Hills Unit No. 6, and a small portion of Lot 15 of Horton's Purchase, Ex-Mission Lands, from Zone R-1 to Zone R-2, as recommended by the City Planning Commission under Document No. 446237, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted. Councilmen Wincote, Dail and Mayor Butler voted "Nay" on the motion.

Communication from the City Planning Commission recommending retaining the present setback on both sides of 43rd Street, between Myrtle Avenue and Thorn Street; and denying the request for a special ten-foot setback; was presented.

RESOLUTION NO. 105954, recorded on Microfilm Roll No. 48, denying the petition for the establishment of a ten-foot setback line on both sides of 43rd Street, between Myrtle Avenue and Thorn Street, as recommended by the City Planning Commission under Document No. 446235, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission submitting resolution amending Resolution No. 102973, relative to improvement requirements in connection with the Tentative Map of Bay Park Vista Unit No. 3, was presented.

RESOLUTION NO. 105955, recorded on Microfilm Roll No. 48, amending Resolution No. 102973, regarding the Tentative Map of Bay Park Vista Unit No. 3, in so far as conditions numbered 4 and 5 are concerned relative to curbing, paving, etc. in said subdivision, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission, submitting Resolution suspending four sections of the Subdivision Ordinance relative to the Tentative Map of Wertheimer Housing Development, was presented.

RESOLUTION NO. 105956, recorded on Microfilm Roll No. 48, suspending Sections 3I2, 5C, 4A8 and 6 of the Subdivision Ordinance, in connection with the Tentative Map of Wertheimer Housing Development, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission submitting a Resolution approving the Tentative Map of the property involved in the Wertheimer Housing Development, was presented.

RESOLUTION NO. 105957, recorded on Microfilm Roll No. 48, approving the Tentative Map of the subdivision of a portion of Lot 31, Ex Mission Lands (Wertheimer Housing Development), into a number of large lots to be used for the development of a multiple family housing project of 554 units, located on the east side of 47th Street, between Hilltop Drive and Market Street; subject to ten conditions; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager recommending filing communications from the Lamplighters of La Jolla, and others, relative to the desired demolition of old Navy Anti-aircraft Bunkers in the Bird Rock Area was presented.

The Mayor stated that the Hormel Corporation was the owner of the property and requests for removal of said Bunkers should be directed to that Company. He said the City was unable to do any more than it has at this time. Work by the City consisted of boarding-up openings, etc.

Mrs. Marian Turner of the Bird Rock Beach area spoke relative to the hazards involved.

Remarks on the subject were made by Councilmen Dail, Wincote, Swan, Godfrey and the Mayor.

The City Manager said he would secure a new written report from the Health Department.

All interested persons having been heard, all communications on the subject were ordered filed, on motion of Councilman Kerrigan, seconded by Councilman Dail. The communications filed were from the Pacific Beach Junior Woman's Club, the Lamplighters of La Jolla, the Parent-Teacher's Association of the Bird Rock Elementary School, the Academy Club of La Jolla, and the Parish Council, St. James by the Sea.

At this time the City Clerk presented his certificate, pursuant to Section 10 of Article II of the City Charter, and to Resolution No. 105676 adopted by the Council on Thursday, February 28, 1952, of the results of the canvass of the Municipal Special Elections held in the City of San Diego on February 26, 1952. Said certificate showed the following, to-wit:

(a) The whole number of votes cast in The City of San Diego was 64,675:
(b) The measures and/or propositions voted upon, and the number of votes given for and against each measure and/or proposition, are as follows, to-wit:

CITY OF SAN DIEGO WATER BOND PROPOSITION
(\$6,500,000.00 for construction and completion of Sutherland Dam)
The total vote was 63,428 votes
For said Proposition 54,340 votes
Against said proposition 9,088 votes

CONTRACT CITY OF SAN DIEGO PROPOSITION TO APPROVE COLORADO RIVER SECOND AQUEDUCT

The total vote was 62,806 votes
For said proposition 60,582 votes
Against said proposition 2,224 votes

(c) The number of votes given in each precinct for each Measure and/or proposition will be recorded in the Elections returns book.

RESOLUTION NO. 105958, recorded on Microfilm Roll No. 48, stating the Result of the Canvass of the Returns of the Special Municipal Election held February 26, 1952, as ordered by Ordinance No. 5058 (New Series), as follows:

CONTRACT: "CITY OF SAN DIEGO PROPOSITION TO APPROVE COLORADO RIVER SECOND AQUEDUCT

Shall that certain contract heretofore executed by the City Manager between

The City of San Diego and the United States of America authorizing the construction of the Colorado River Second Aqueduct, a copy of which is on file in the City Clerk's office under Document No. 442498, and entitled "Contract NOy-13300. Collateral Agreement to Supplemental Agreement No. 4 between United States of America and San Diego County Water Authority," be approved?"

The whole number of votes cast in The City of San Diego on said proposition is 62,806; that the number of votes given in the City for said proposition is 2224; that the number of votes given in each precinct for and against said proposition is recorded in the elections returns book of The City of San Diego and said book shall be considered as a part of the records of the Council.

Votes of more than two-thirds of the voters of The City of San Diego voting on said proposition at said election were cast in favor of said proposition. was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

RESOLUTION NO. 105959, recorded on Microfilm Roll No. 48, Stating the Result of the Canvass of the Returns of the Special Municipal Bond election held February 26, 1952, as ordered by Ordinance No. 5057 (New Series), as follows:

"CITY OF SAN DIEGO WATER BOND PROPOSITION:

Shall The City of San Diego incur a bonded indebtedness in the principal sum of \$6,500,000 for the acquisition and construction by said City of a certain municipal improvement for the development, conservation and furnishing of water, to-wit: the construction and completion of the Sutherland Dam, the acquisition of lands, water rights and water bearing lands, in and adjacent to the SanDieguito River and its tributaries, and the construction of a water conduit or transmission main from Sutherland Dam approximately to San Vicente Reservoir, including the acquisition of all lands, easements, pipe, apparatus and property necessary therefor?"

The whole number of votes cast in The City of San Diego on said bond measure is 63,428; that the number of votes given in the City for said bond measure is 54,340; that the number of votes given in the city against said bond measure is 9088; that the number of votes given in each precinct for and against said bond measure is recorded in the elections returns book of The City of San Diego and said book shall be considered as a part of the records of the Council.

Votes of more than two-thirds of the voters of The City of San Diego voting on said proposition at said election were cast in favor of said bond measure. was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Communication from the San Diego Municipal Employees' Association requesting that the City Auditor and Comptroller be instructed to make monthly payroll deductions for dues in the Municipal Employees' Association, as allowed by State Law, to be effective July 1, 1952, was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, referred to the City Manager.

Communication from C. B. Palmer making suggestions on saving water was presented and on motion of Councilman Dail, seconded by Councilman Kerrigan, ordered filed.

Communication from the Pacific Indemnity Company recommending the denial of the claims of Ancel W. Cutright; Clorinda R. Estridge, Marcos M. Estridge, Maria Elena Estridge, and Elithu H. Estridge; Elgia R. Porter and Douglas R. Porter; Leroy J. Roderick; Rose T. Snyder and Chester A. R. Snyder, Jr.; Alicia R. Stevens and Dolores Josephine Swensrud and Keith Swensrud; contained in Document No. 446638; was presented.

RESOLUTION NO. 105960, recorded on Microfilm Roll No. 48, denying the claim of Ancel W. Cutright, filed under Document No. 445303, by Luce, Forward, Kunzel and Scripps, attorneys, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105961, recorded on Microfilm Roll No. 48, denying the claim of Clorinda R. Estridge, Marcos M. Estridge, Maria Elena Estridge, and Elithu H. Estridge, filed under Document No. 445299, by Luce, Forward, Kunzel and Scripps, attorneys, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105962, recorded on Microfilm Roll No. 48, denying the claim of Elgie R. Porter and Douglas R. Porter, filed under Document No. 445302, by Luce, Forward, Kunzel and Scripps, attorneys, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105963, recorded on Microfilm Roll No. 48, denying the claim of Leroy J. Roderick, filed under Document No. 445297, by Luce, Forward, Kunzel and Scripps, attorneys, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105964, recorded on Microfilm Roll No. 48, denying the claim of Rose T. Snyder and Chester A. R. Snyder, Jr., filed under Document No. 445301, by Luce, Forward, Kunzel and Scripps, attorneys, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105965, recorded on Microfilm Roll No. 48, denying the claim of Alicia R. Stevens, filed under Document No. 445300, by Luce, Forward, Kunzel and Scripps, attorneys, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 105966, recorded on Microfilm Roll No. 48, denying the claim of Dolores Josephine Swensrud and Keith Swensrud, filed under Document No. 445298, by Luce, Forward, Kunzel and Scripps, attorneys, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Pacific Indemnity Company, reporting on the claim of Mrs. Lila B. Dede; stating that the injury occurred in the Balboa Park Zoo and is not covered by policy No. LAC 58228; and that the Company's file was closed on March 5, 1952, was presented.

RESOLUTION NO. 105967, recorded on Microfilm Roll No. 48, denying the claim of Mrs. Lila B. Dede, 2873 "C" Street, filed under Document No. 444146, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Pacific Indemnity Company, reporting on the claim of Payne Flowers; stating that the Company's file has been closed by cancellation; was presented.

RESOLUTION NO. 105968, recorded on Microfilm Roll No. 48, denying the claim of Payne Flowers, filed under Document No. 440175, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Pacific Indemnity Company recommending denial of the claim of Michael and Mary C. Hernandez was presented.

RESOLUTION NO. 105969, recorded on Microfilm Roll No. 48, denying the claim of Michael Hernandez and Mary C. Hernandez, filed under Document No. 444322, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Pacific Indemnity Company reporting on the claim of Hotel St. James; advising that this case was closed by payment of \$22.43 on March 6, 1952, was presented and on motion of Councilman Godfrey, seconded by Councilman Kerrigan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Hilda Inch, advising that this case was closed by payment of \$20.51 on March 10, 1952, was presented and on motion of Councilman Godfrey, seconded by Councilman Kerrigan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Roger J. Lenz, advising that this case was closed by payment of \$325.00 on March 7, 1952, was presented and on motion of Councilman Godfrey, seconded by Councilman Kerrigan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Mr. & Mrs. M. H. Lessner, advising that this case was closed by payment of \$441.25 on March 3, 1952, was presented and on motion of Councilman Godfrey, seconded by Councilman Kerrigan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Geocome A. Paroline, advising that this case was closed by payment of \$1,568.04 on March 3, 1952, was presented and on motion of Councilman Godfrey, seconded by Councilman Kerrigan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Carl K. Ross, advising that this case was closed by payment of \$10.00 on March 4, 1952, was presented and on motion of Councilman Godfrey, seconded by Councilman Kerrigan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of F. A. Russell, advising that this case was closed by payment of \$14.59 on March 6, 1952, was presented and on motion of Councilman Godfrey, seconded by Councilman Kerrigan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Netta Semerad, advising that this case was closed by payment of \$40.00 on March 11, 1952, was presented and on motion of Councilman Godfrey, seconded by Councilman Kerrigan, ordered filed.

Communication from the Pacific Indemnity Company reporting on the claim of Gertrude A. Thaler, advising that this case was closed by payment of \$154.58 on March 11, 1952, was presented and on motion of Councilman Godfrey, seconded by Councilman Kerrigan, ordered filed.

RESOLUTION NO. 105970, recorded on Microfilm Roll No. 48, approving the plans and specifications for the furnishing of all labor, material, tools, equipment,

transportation and other expense necessary or incidental for the installation of safety lighting system at the intersection of 32nd Street and Main Street, filed under Document No. 446665; approving the wage scale contained in said specifications; authorizing and directing the Purchasing Agent to proceed to publish in accordance with law, notice to contractors calling for bids for the work hereinabove described, in accordance with the plans and specifications referred to; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

On motion of Councilman Wincote, seconded by Councilman Schneider, the following items were continued for one week:

Proposed Resolution Approving Change and Extra Work Orders Nos. C-1 to and including C-16, amounting to an increase in the contract price of \$23,469.99, in connection with the contract between The City of San Diego and Helmer Eden, Inc., for the remodeling of and construction of an addition to the Administration Building, Lindbergh Field, Municipal Airport.

Proposed Resolution Approving Change and Extra Work Orders Nos. 1 and 2, amounting to an increase in the contract price of approximately \$2,165.64, in connection with the contract with Daley Corporation, for the construction of asphaltic concrete pavement, curb and drainage structures on Crosby and Water Streets, contained in Document No. 444125.

Proposed Resolution Approving Change and Extra Work Order No. E-1, amounting to an increase of \$667.00, and to a decrease of \$115.20, or a total net increase of approximately \$551.80, in connection with the contract with J. C. Slaughter for moving and renovating the hangar formerly located at 2830 Pacific Highway.

Proposed Resolution Approving Change and Extra Work Orders Nos 1 and 2, amounting to an increase in the contract price of approximately \$5,183.50, in connection with the contract with V. R. Dennis Construction Co. for the construction of a concrete parking apron in front of the Administration Building, Lindbergh Field, contained in Document No. 436427.

Proposed Resolution accepting the bid of Leona Hughes for the purchase of portions of Lots 2, and 3, Block 380 of Old San Diego, sold at public auction for \$560.00; authorizing execution of a deed.

RESOLUTION NO. 105971, recorded on Microfilm Roll No. 48, authorizing and directing the City Auditor to transfer the sum of \$900.00 from Fourth Quarter, Contractual Services, Account 152, to Fourth Quarter, Salaries and Wages, Activity 12.1, Planning Department Fund of the City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 105972, recorded on Microfilm Roll No. 48, approving Change and Extra Work Order No. 1, dated March 10, 1952, heretofore filed as Document No. 44-6726, issued in connection with the contract between The City of San Diego and J. P. Witherow, for covering over expansion joints in concrete lining at Bayview Reservoir, contained in Document No. 444877; approving the changes therein set forth, amounting to an increase in the contract price of \$267.03; was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105973, recorded on Microfilm Roll No. 48, accepting the Quitclaim deed executed by Chris L. Montgomery and Dorothy E. Montgomery, husband and wife, quitclaiming to The City of San Diego, all sewer mains and appurtenant structures located on public streets, rights of way, highways and public places, either within or without the subdivision named Makai Heights, being a portion of Block 14 of Loma Alta No. 1, as shown on Map No. 2809; authorizing and directing the City Clerk to file said deed, together with a certified copy of this resolution for record in the office of the said County Recorder; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105974, recorded on Microfilm Roll No. 48, accepting the deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, State of California, executed in favor of The City of San Diego, conveying to said City Lots 12 to 15, inclusive, Block 186, City Heights, in The City of San Diego, according to Map thereof filed in the Office of the Recorder of San Diego County; authorizing and directing the City Clerk to file the said deed of record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105975, recorded on Microfilm Roll No. 48, accepting the quitclaim deed of Mrs. Mabel G. Long, executed in favor of The City of San Diego, quitclaiming to said City all her right, title and interest in and to Lots 23 and 24, in Block 28, of Mission Beach Addition, according to Map thereof No. 1381; authorizing and directing the City Clerk to file the said deed for record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105976, recorded on Microfilm Roll No. 48, accepting the quitclaim deed of The M. Hall Company, a corporation, executed in favor of The City of San Diego, a municipal corporation, bearing date January 30, 1952, quitclaiming to said City a portion of Lot 1, Block 471 of Old San Diego, according to the Map thereof made by James Pascoe in 1870; authorizing and directing the City Clerk to file the said deed

for record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105977, recorded on Microfilm Roll No. 48, accepting the deed of Carl C. Kissel, Administrator of the estate of Charles C. Gafford, deceased, executed in favor of The City of San Diego, conveying to said City a portion of Pueblo Lot 1204 of the Pueblo Lands of San Diego, according to Map thereof made by James Pascoe in 1870, and filed as Miscellaneous Map No. 36, in the Office of the Recorder of San Diego County, which portion is shown as Lots 677 and 676 of Assessor's Map No. 10 of Mission Crest; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105978, recorded on Microfilm Roll No. 48, accepting the deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, State of California, executed in favor of The City of San Diego, conveying to said City a portion of Lot 4, Block 38, and all of Lots 11, 14, 15 and 16, Block 39, all in Western Addition of The City of San Diego, according to Map thereof filed in the Office of the Recorder of San Diego County; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105979, recorded on Microfilm Roll No. 48, accepting the subordination agreement, executed by Florence R. Bishop, beneficiary, and Southern Title and Trust Company, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Block 294, Pacific Beach, according to Map thereof No. 854, filed in the Office of the Recorder of San Diego County, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego through, along and across a portion of the said property above described; directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105980, recorded on Microfilm Roll No. 48, accepting the deed of Ashley L. Bishop, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Block 294, Pacific Beach, according to Map thereof No. 854; setting aside and dedicating the land therein conveyed to the public use, as and for a public street; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105981, recorded on Microfilm Roll No. 48, accepting the deed of Tirzah B. Denton, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lots 3, 4, 5, 8, 9 and 10, Block 294, Pacific Beach, according to Map thereof No. 854; setting aside and dedicating to the public use as and for a public street the land therein conveyed; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105982, recorded on Microfilm Roll No. 48, accepting the deed of C. S. Kirchmaier, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes, through, along and across a portion of Block 294, Pacific Beach, according to Map thereof No. 854; setting aside and dedicating the lands therein conveyed to the public use as and for a public street; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105983, recorded on Microfilm Roll No. 48, accepting the deed of Jeanne B. Offerman, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes, through, along and across portions of Lots 3, 4 and 5, Block 294 of Pacific Beach, according to Map thereof No. 854; setting aside and dedicating to the public use the land therein conveyed to the public use as and for a public street; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105984, recorded on Microfilm Roll No. 48, accepting the subordination agreement, executed by Myrtel Morris, beneficiary, and Union Title Insurance and Trust Company, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Block 294, Pacific Beach, according to Map thereof No. 854, to the right of way and easement for street purposes theretofore conveyed to The City of San Diego, through, along and across a portion of the said property above described; directing the City Clerk to file the said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105985, recorded on Microfilm Roll No. 48, accepting the deed of Union Title Insurance and Trust Company, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 67 of the Rancho Mission of San Diego, in the County of San Diego, in Township 16 South, Range 2 West, S.B.B.M., according to Partition Map thereof on file in the office of the County Clerk of said County in Action No. 348 in the Superior Court of said County, entitled, "Jaun M. Luco, et al. vs. The Commercial Bank of San Diego, et al."; setting aside and dedicating to the public use as and for a public street, the land therein conveyed; and naming the same Alvarado Road; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105986, recorded on Microfilm Roll No. 48, accepting the deed of Edward G. Groff and Dorothy M. Groff, executed in favor of The City of San Diego, conveying to said City portions of Lot 7 and 8, Block "D", O. L. Steel Sub-division, according to Map thereof No. 2178; setting aside and dedicating to the public use the land therein designated as "Parcel 1" as and for a public street; naming the same Wabash Boulevard; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105987, recorded on Microfilm Roll No. 48, accepting the deed of Gilbert Campos and Carmen Campos, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 35, Block 407, Helphingstine's Addition, according to Map thereof No. 450; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105988, recorded on Microfilm Roll No. 48, accepting the deed of Gregory Electric Company, a corporation, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes, through along and across portions of Lots 12 and 13, West Atlantic Street Addition, according to Map thereof No. 2070; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105989, recorded on Microfilm Roll No. 48, accepting the deed of Mildred C. Magnussen and Clarence M. Magnussen, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 5, Block 13, Scripps Addition to La Jolla Park, according to Map thereof filed in the Office of the Recorder of San Diego County; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105990, recorded on Microfilm Roll No. 48, accepting the deed of Frank H. Parker and Rose J. Parker, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 6, Ocean View Heights, according to Map thereof No. 1341; authorizing and directing the City Clerk to file the said deed of record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105991, recorded on Microfilm Roll No. 48, accepting the deed of J. Harold Peterson and Helen S. Peterson, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot One, Block 223, Middletown, according to Partition Map thereof by J. E. Jackson and filed in the Office of the County Clerk of the County of San Diego; authorizing and directing the City Clerk to file the said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of this Resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105992, recorded on Microfilm Roll No. 48, accepting the deed of Elmer D. Porter and Elizabeth A. Porter, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes, through, along and across a portion of Lot 8, Block 98 of Point Loma Heights, according to Map thereof No. 1106; authorizing and directing the City Clerk to file the said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 105993, recorded on Microfilm Roll No. 48, accepting the deed of W. H. Smith and Louella M. Smith, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 10, Block 2 of Sterling Park, according to the Map thereof No. 1260; authorizing and directing the City Clerk to file the said deed of record in

the office of the County Recorder of San Diego County, California, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

ORDINANCE NO. 5124, New Series, recorded on Microfilm Roll No. 48, appropriating the sum of \$7,400.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the construction of a unit of nine additional Kennels at the City Dog Pound, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5125, New Series, recorded on Microfilm Roll No. 48, dedicating certain public lands of The City of San Diego, California, in Pueblo Lot 1203, as and for portions of Public Streets and naming the same Baltic Street and Ashford Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5126, New Series, recorded on Microfilm Roll No. 48, establishing the grade of the Alley in Block 81, Point Loma Heights, in The City of San Diego, California, according to Map No. 1106, between the northwesterly line of Santa Barbara Street and the southeasterly line of Guizot Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5127, New Series, recorded on Microfilm Roll No. 48, establishing the grade of Central Avenue, in The City of San Diego, California, between the north line of Redwood Street and a line parallel to and distant 540.00 feet south from the south line of Redwood Street, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Dail, seconded by Councilman Wincote, said ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5128, New Series, recorded on Microfilm Roll No. 48, establishing the grade of Conde Street, in The City of San Diego, California, between the southwesterly line of San Diego Avenue and the southwesterly line of Congress street, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5129, New Series, recorded on Microfilm Roll No. 48, establishing the grade of Congress Street, in The City of San Diego, California, between the northeasterly prolongation of the Southeasterly line of Smith Street and the southwesterly prolongation of the northwesterly line of Wallace Street, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilman Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5130, New Series, recorded on Microfilm Roll No. 48, establishing the grade of Lemona Avenue in The City of San Diego, California, between the southerly line of Landis Street and the easterly prolongation of the radial line from the inter-

section of the westerly line of Lemona Avenue with the southwesterly line of Sterling Court, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5131, New Series, recorded on Microfilm Roll No. 48, establishing the grade of Napa Street, in The City of San Diego, California, between the easterly line of Morena Boulevard and the northwesterly line of Linda Vista Road, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

RESOLUTION NO. 105994, recorded on Microfilm Roll No. 48, granting permission to the San Diego Junior Chamber of Commerce, as sponsor, to hold a Sportsman Show and Carnival on Convair Parking Lot #2, from March 25, 1952, to March 30, 1952, upon payment of a license fee of \$300.00, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 105995, recorded on Microfilm Roll No. 48, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego the name of said City on the certificate of ownership on the final map of Linda Vista Unit No. 1, in connection with a certain library site on Linda Vista Road north of Ulric Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105996, recorded on Microfilm Roll No. 48, suspending sections 3E5, 3J6, 3I1, 3D, 3F3, 3I3 and 3J8, 4A8 and 4A6, also Section 5, of the Subdivision Ordinance, in connection with the Tentative Map of Linda Vista Unit No. 1, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 105997, recorded on Microfilm Roll No. 48, approving the Tentative Map of Linda Vista Unit No. 1, subject to nine conditions set forth in said Resolution; and repealing Resolution No. 101467, adopted March 6, 1951, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 11:07 A.M., on motion of Councilman Dail, seconded by Councilman Godfrey.

Chester E. Schneider
 Vice Mayor of The City of San Diego, California.

(ATTEST)

FRED W. SICK, City Clerk,

By

Clark M. Foster
 Deputy.