

COUNCIL MINUTES

27

NOV. 23, 1953 • DEC. 28, 1953

across Coyote River. Resolution No. 10066 adopting said plans and specifications is read, and upon motion of Councilman Watson, seconded by Councilman Doerr, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Keyes St. Bridge
Across Coyote River
(City Planning
Commission)

Councilman Watson proposes and moves adoption of resolution that pursuant to Section 94 of the Charter, the plans and specifications for construction of the Keyes Street Bridge across Coyote River be referred to the City Planning Commission for consideration and report, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Outside Sewer Connection
Southern Lumber Co.
1404 S. 1st St.

Ferdinand P. Falla, Assistant City Attorney, reports that the Southern Lumber Company has the right to connect its premises located outside the City at 1404 S. 1st Street with the City sewer system for a reasonable fee, as referred on November 18, 1953. Councilman Doerr proposes and moves adoption of resolution that the City Manager be directed to meet with the Southern Lumber Company to determine a reasonable fee to be charged by City if permission is granted to connect said premises at 1404 S. 1st Street to the City sewer system and report back to the Council, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Outside Sewer
Connection
Southern Lumber Co.
1404 S. 1st St.

Councilman Starbird proposes and moves adoption of resolution that the City Manager be directed to report to the Southern Lumber Company the findings of the City Attorney relative to its proposed outside sewer connection for premises at 1404 S. 1st Street, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Ordinance No. 4278
Annual Audit
of Accounts
Logan & Frazer

Ordinance No. 4278, entitled: "An Ordinance Of The City Of San Jose Authorizing The Mayor And City Manager To Execute A Memorandum Of Agreement With Raymond R. Frazer Doing Business As Logan And Frazer, A Certified Public Accountant, For The Employment Of Said Party For The Purpose Of Making An Annual Audit Of Accounts As Required By Section 73 Of The Charter Of The City Of San Jose For The Fiscal Year Commencing September 1, 1953, And Ending August 31, 1954; And Authorizing The Expenditure Of The Sum Of \$1500.00 For The Purpose Of Compensating Said Accountant In Accordance With And Subject To The Terms Of Said Agreement", is presented by the Assistant City Attorney and upon motion of Councilman Watson, seconded by Councilman Santora, passed to print:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Monthly Report

Report of the Police Department for October, 1953, is presented and filed.

S.W.G. Storm Sewers
Contract Bonds
Approved

Councilman Watson proposes and moves adoption of resolution that in contract with P. and E. Inc., for the construction, laying and installation of storm sewer pipe lines in portions of areas annexed to City as South Willow Glen Nos. 2, 3, 4, 5, 7, 12 and 13, the bond for faithful performance be fixed at \$80,000.00, and the bond of P. and E. Inc., as principal, and United Pacific Insurance Company, as surety, to the City of San Jose, in the amount of \$160,000.00, securing claims of materialmen and laborers, be approved, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Sale of City-Owned
Land W. Side Bird
Ave. at S.P.R.R.

City Manager presents renewal of offer of the Mission Taxi Company to purchase city-owned land located on the west side of Bird Avenue between Home Street and the Southern Pacific Company railroad, which is not now needed for municipal purposes for \$3,000.00. Councilman Starbird proposes and moves adoption of resolution that the City Manager be authorized to publish notice of sale of said

city-owned land at public auction and that \$3,000.00 be fixed as minimum acceptable bid therefor, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Foley, Santora, Solari, Starbird and Watson.
Noes: Councilmen - Doerr and Hathaway.
Absent: Councilmen - None.

Sale of City-Owned
Land W. Side Bird Ave.
Minimum Bid

Councilman Doerr proposes and moves adoption of resolution that the City Manager be directed to publish notice of sale of said city-owned land at public auction and that minimum acceptable bid be fixed at \$4,000.00, and for lack of a second said motion fails.

Councilman Doerr proposes and moves adoption of resolution that the City Manager be directed to publish notice of sale of said city-owned land at public auction and that minimum acceptable bid be fixed at \$3,500.00 and for lack of a second, said motion fails.

Councilman Santora proposes and moves adoption of resolution that the City Manager be directed to publish notice of sale of said city-owned land at public auction and that minimum acceptable bid be fixed at \$3,100.00 and for lack of a second, said motion fails.

Purchase Tax
Delinquent Property
N. 19th St.
S. of St. James St.

A. P. Hamann, City Manager, presents notice of the Board of Supervisors of Santa Clara County of its intention to sell certain tax delinquent property located on the W. side of N. 19th Street, 137.50' S. of St. James Street with 50' frontage on N. 19th Street, and having a depth of 125.36', and requests consideration for the acquisition of said property by the City. General discussion is had. Councilman Watson proposes and moves adoption of resolution that said property be not acquired by the City seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Adjourn

Councilmen Starbird proposes and moves adoption of resolution that the Council adjourn to meet again in regular session at 8 o'clock P.M., December 7, 1953, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Adjourn

Council now adjourns at 10:08 o'clock P.M.

Robert C. Doerr

ROBERT C. DOERR
Mayor Pro Tempore

and
Parker L. Hathaway
PARKER L. HATHAWAY
Mayor

Dorothy Covill
Attest: DOROTHY COVILL
City Clerk

Mailed 5-7-54

Friday

San Jose, California

November 27, 1953

The Council of the City of San Jose convenes this day in special session at 8:00 o'clock A.M., in the office of the City Manager, 175 W. San Carlos Street, San Jose, California, in accordance with the provisions of Section 49 of the Charter and pursuant to the call of the Mayor, and on six hours written notice to all of the members of the City Council, evidenced by Notice of Special Meeting and Consent To Holding Of Council Meeting And Acknowledgment Of Receipt Of Notice Of Such Meeting, heretofore filed with the City Clerk, reading as follows and bearing the signatures of the members of the City Council:

NOTICE OF SPECIAL MEETING

To: Councilmen Robert C. Doerr, William J. Foley, Joe Santora, Louis S. Solari, George Starbird, Fred Watson and Mayor Hathaway.

A special meeting of the Council of the City of San Jose is hereby called and will be held at 8:00 o'clock A.M., Friday, November 27, 1953, in the office of the City Manager, City Hall Annex, 175 West San Carlos Street, San Jose, California, for the purpose of considering, discussing, and/or determining whether the City of San Jose shall adopt a regular or emergency ordinance authorizing the execution of an agreement between the City of San Jose and the City of Alviso providing for the construction by the City of Alviso of embankments and/or flood gates to prevent and/or control the flow of tidal waters and treatment plant effluent into, within, and/or upon land owned by the City of San Jose and situate within the City of Alviso alongside Los Esteros Road and alongside the main outfall sewer line of the City of San Jose, and providing for the payment by the City of San Jose of \$10,000.00 to the City of Alviso for the construction of said improvements; and whether in said ordinance the sum of \$10,000.00 shall be appropriated from the Sewer Bond Fund of the City of San Jose or from some other fund of the City of San Jose to be paid to the City of Alviso for the abovesaid purpose.

This call for a special meeting is in accordance with and by authority of Section 49 of the Charter of the City of San Jose.

(Signed) Parker L. Hathaway
Mayor

November 26, 1953.

CONSENT TO HOLDING OF COUNCIL MEETING AND ACKNOWLEDGMENT OF RECEIPT OF NOTICE OF SUCH MEETING

I, the undersigned, acknowledge that a "Notice of Special Meeting" of which the above is a true copy, was personally served upon me more than six (6) hours prior to 8:00 o'clock A.M., Friday, November 27, 1953, and I do hereby consent to the holding of the special meeting mentioned in said notice, at the time and place set forth in said notice.

JOE SANTORA (Signed) LOUIS S. SOLARI (Signed)
ROBERT C. DOERR (Signed) WILLIAM J. FOLEY (Signed)
FRED WATSON (Signed) GEORGE STARBIRD (Signed)
PARKER L. HATHAWAY (Signed)

Roll Call

Present: Councilmen - Santora, Solari, Watson and Hathaway.
Absent: Councilmen - Doerr, Foley and Starbird.

Minutes

Councilman Watson proposes and moves adoption of resolution that the Minutes of regular sessions of August 24, 31, September 8, 14, 21, 23, 28, October 5, 13, 14, 26, 28, November 2, 9, 16, 18 and 23, 1953 be deferred, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Santora, Solari, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr, Foley and Starbird.

Ordinance No. 4279
Flood Control
(Alviso)

Council now discusses proposed ordinance which would authorize an agreement providing for payment of \$10,000.00 by the City of San Jose for construction by the City of Alviso of embankments and for flood gates to prevent and/or control the flow of tidal waters and treatment plant effluent into, within, and/or upon land owned by the City of Alviso alongside Los Esteros Road and San Jose's main outfall sewer line. Councilman Doerr now enters and is seated. H. J. Flannery, City Engineer, displays drawing showing the proposed improvements to be made. Ordinance No. 4279, entitled: "An Ordinance Of The City Of San Jose Authorizing The Execution Of An Agreement Between City Of San Jose And City Of Alviso Providing For The Payment By City Of San Jose To City Of Alviso Of \$10,000.00 Or Such Part Thereof As Is Necessary To Pay The Cost Of Constructing A Levee Running Along The Westerly Side Of The Main Outfall Sewer Line Right Of Way Of City Of San Jose From Los Esteros Road To A Point Approximately 100 Feet North Of The Subdivision Known As New Chicago, And For The Construction Of A Tide Gate Situate Within Approximately 200 Feet Of The Northerly Terminus Of Said Levee; Appropriating \$10,000.00 From The 1950 Sewage Treatment Bond Fund Of The City Of San Jose For Such Purpose And Authorizing Its Payment To City Of Alviso In Accordance With Said Agreement; Finding And Declaring That This Is An Emergency Ordinance Necessary For The Immediate Preservation Of The Public Peace, Health And Safety, And Stating The Reasons Therefor", is presented by Ferdinand P. Palla, Assistant City Attorney and upon motion of Councilman Santora, seconded by Councilman Solari, adopted as an ordinance for the immediate preservation of the public peace, health and safety:

Councilman Doerr
Enters

Ayes: Councilmen - Doerr, Santora, Solari, Watson
and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Foley and Starbird.

Adjourn

Councilman Solari proposes and moves adoption of resolution
that the Council adjourn to meet again in regular session at 8:00
o'clock P.M., December 7, 1953, seconded by Councilman Santora and
adopted:

Ayes: Councilmen - Doerr, Santora, Solari, Watson
and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Foley and Starbird.

Adjourn

Council now adjourns at 8:48 o'clock A.M.

Parker L. Hathaway
PARKER L. HATHAWAY
Mayor

Dorothy Covill
ATTEST: DOROTHY COVILL
City Clerk

Mail 5-21-54

Monday

San Jose, California

December 7, 1953

The Council of the City of San Jose convenes this day in regular session at 8:00 o'clock P.M., pursuant to adjournment.

Roll Call

Present: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Absent: Councilmen - None.

Invocation

Invocation is given by Reverend Harold E. Ring.

Minutes

The Minutes of regular session of August 24, 1953, having been read by each Councilman, Councilman Starbird proposes and moves adoption of resolution that said Minutes be approved a heretofore read, and that consideration of the Minutes of regular sessions of August 31, September 8, 14, 21, 23, 28, October 5, 13, 14, 26, 28, November 2, 9, 16, 18 and 23, 1953, and special session of November 27, 1953, be deferred, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Public Auction
City-Owned Buildings
260 Almaden Ave.

This being the time and place fixed for sale at public auction of the house, garage and outbuildings at 260 Almaden Avenue, said buildings to be demolished and removed and the site left clear, John B. Massen, Assistant City Manager, invites bids. J. Helzer bids \$100.00 for said building, O. L. Anderson bids \$125.00, and bidding continues with O. L. Anderson submitting final bid of \$160.00. No further bid is heard, whereupon bidding is closed. Councilman Santora proposes and moves adoption of resolution that said bid of O. L. Anderson in amount of \$160.00 for the house, garage and outbuildings at 260 Almaden Avenue be accepted, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Public Auction
City-Owned Buildings
278 Almaden Ave.

This being the time and place fixed for sale at public auction of the house, garage and outbuildings at 278 Almaden Avenue, said buildings to be demolished and removed and the site left clear, John B. Massen, Assistant City Manager, invites bids. O. L. Anderson bids \$100.00 for said buildings. No further bid is heard, whereupon

bidding is closed. Councilman Santora proposes and moves adoption of resolution that the bid of O. L. Anderson, in amount of \$100.00 for the house, garage and outbuildings at 278 Almaden Avenue, be accepted, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Ordinance No. 4280
Confirming Sale of
City-Owned Bldgs.
260-278 Almaden Ave.

Ordinance No. 4280, entitled: "An Ordinance Confirming The Sale Of Certain City-Owned Residential Buildings Located At Numbers 260 And 278 Almaden Avenue, San Jose, California, Not Required For Municipal Purposes And Setting Forth The Terms And Conditions Of The Sale", is read and upon motion of Councilman Santora, seconded by Councilman Solari, passed to print:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Bascom No. 22
Annexation
(Uninhabited)
Hearing

This being the time and place fixed by Resolution No. 10049, adopted November 2, 1953, when and where any person owning real property in the uninhabited territory proposed to be annexed to the City of San Jose and designated as "Bascom No. 22", may appear and show cause why such territory should not be so annexed, City Clerk advises that no protests to said proposed annexation have been filed. Francis E. Zingheim, Attorney at Law, appearing on behalf of Vivian T. McCurdy, protests said proposed annexation. Certificate of Pearce Davies, dated December 7, 1953, stating that the parcels of property described in list attached thereto are all of the parcels of real property within said territory proposed to be annexed and that said list truly states the assessment numbers, owners, descriptions and values of all parcels of real property within said territory; photostatic copies of records of Roy P. Emerson, Tax Collector of Santa Clara County, listing assessment numbers, owner's name and post office address, value of land and improvements of properties within said territory proposed to be annexed; and certificate of Pearce Davies, dated December 7, 1953, stating that he has examined the records of the Registrar of Voters of Santa Clara County and has ascertained that no more than

three registered voters reside within said territory proposed to be annexed, are presented by Pearce Davies. Councilman Starbird proposes and moves adoption of resolution that said public hearing be closed, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Resolution No. 10067
Determination of
Protests
Bascom No. 22
(Uninhabited)

Resolution No. 10067 finding and determining that protest to the proposed annexation of certain uninhabited territory designated as Bascom No. 22 has not been made by owners of one-half of the value of said territory as shown on the last equalized assessment roll, nor by public and private owners equal to one-half the value of such territory as determined by the Council, is presented by the Assistant City Attorney, and upon motion of Councilman Starbird, seconded by Councilman Santora, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Ordinance No. 4281
Annexing
Bascom No. 22
(Uninhabited)

Ordinance No. 4281, entitled: "An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain Uninhabited Territory Designated As 'Bascom No. 22' And Herein Described, And Herein Annexing Said Territory To Said City Of San Jose", is presented by the Assistant City Attorney and upon motion of Councilman Starbird, seconded by Councilman Watson, passed to print:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Rezoning The Alameda
Hearing

This being the time and place fixed for public hearing, pursuant to Section 9112.1(b) of the San Jose Municipal Code, for the purpose of considering and discussing the proposed rezoning of portions of real property fronting on The Alameda between Magnolia Avenue-Perishing Avenue and the North City Limits Line, having varying depths, from R-3 Residence District and C Commercial District (Professional-Office) to C-L Commercial District (Limited), all as set forth in Notice of Public Hearing therefor dated November 18, 1953, City Clerk presents and files protest of the Board of Directors of the First Church of

Christ, Scientist. Charles D. Pond appears in support of said protest. Marshall S. Hall, Attorney at Law, and Joseph L. Pace, M.D., on behalf of The Alameda Association, Duncan Oneal, Attorney at Law, Gus Millet, and others appear in favor of said proposed rezoning. Councilman Starbird proposes and moves adoption of resolution that said public hearing be closed, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Santora, Solari, Starbird and Hathaway.
Noes: Councilmen - Doerr and Watson.
Having expressed his opinion that he is disqualified with reference to said question:
Not Voting: Councilmen - Foley.
Absent: Councilmen - None.

Rezoning
The Alameda
Consideration
Deferred

Councilman Starbird proposes and moves adoption of resolutions of portions of tion that consideration of the proposed rezoning of/real property fronting on The Alameda between Magnolia Avenue-Pershing Avenue and the North City Limits, having varying depths, from R-3 Residence District and C Commercial District (Professional-Office) to C-L Commercial District (Limited), be deferred to December 21, 1953, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Santora, Solari, Starbird, Watson and Hathaway.
Having expressed his opinion that he is disqualified with reference to said question:
Not Voting: Councilmen - Foley.
Noes: Councilmen - None.
Absent: Councilmen - None.

Meetings In
Dunne Hall
Municipal Auditorium

Councilman Doerr proposes and moves adoption of resolution that consideration of the feasibility of holding Council Meetings in Dunne Hall, Municipal Auditorium, if public hearings are to be held indicating overflow audience at the City Hall, be referred to the Committee of the Whole for consideration with the City Attorney, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Rezoning N. Side
St. John St.

13th to Coyote River suant to Section 9112.1(a) of the San Jose Municipal Code, as continued from November 23, 1953, for the purpose of considering and discussing the proposed rezoning of portions of real property fronting on the northerly side of E. St. John Street between 13th Street and the

Coyote River, having varying depths, from R-2 Residence District to R-3 Residence District, City Clerk reports that protest petition filed November 23, 1953 bears the signatures of more than 35% of the property owners of frontage within the area affected by said rezoning and more than 35% of the property owners of frontage in the area adjacent to said area proposed to be rezoned; therefore, in accordance with Section 9112.1 of the San Jose Municipal Code, a 6/7 vote of the Council is required to effect said rezoning. Mr. and Mrs. Jack Broes, Miss Mary G. Courtney and others appear in protest to said proposed rezoning. Eugene L. Rendler, Attorney at Law, appears on behalf of John Del Monico in favor of said rezoning. Councilman Solari proposes and moves adoption of resolution that said public hearing be closed, seconded by Councilman Starbird and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Rezoning N. Side
St. John St.
13th to Coyote River
Approved

Councilman Doerr proposes and moves adoption of resolution that portions of the real property located on the northerly side of E. St. John Street between 13th Street and the Coyote River, having varying depths, be rezoned from R-2 Residence District to R-3 Residence District, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Hathaway.
Noes: Councilmen - Starbird.
Absent: Councilmen - None.

Ordinance No. 4282
Rezoning N. Side
St. John St.
13th to Coyote River

Ordinance No. 4282, entitled: "An Ordinance Amending The San Jose Municipal Code By Adding A New Section Thereto To Be Numbered 9102.4427, Relating To Zoning", is read and upon motion of Councilman Watson, seconded by Councilman Santora, passed to print:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Hathaway.
Noes: Councilmen - Starbird.
Absent: Councilmen - None.

Street Light
Curtner Ave.
Celestine to El Rio
Drive

Communication from Grace R. Stafford, 910 Curtner Avenue, requesting reconsideration of recommendation of the City Engineer presented November 16, 1953, relative to installation of street lights on Curtner Avenue between Celestine Street and El Rio Drive, is read and by unanimous consent, filed.

Fringe Benefits
City Employees

D. J. Scannell, appearing on behalf of Municipal Employees Local 1058, and John E. Thorne, Attorney at Law, appearing on behalf of San Jose Firefighter's Local 873, present and file request that the Council immediately authorize the City Attorney to prepare the necessary ordinances to: 1) provide that top pay will be attained after three years of City employment and after four pay grade steps; the first six months of the first step should be a probationary period, and the Appointing Authority should always have the right to advance an employee for meritorious service faster than the regular steps; but all steps should be automatic unless the Department Head or Appointing Authority files a statement of reasons for refusing a step advancement after which the employee shall have the right to a hearing before the Civil Service Commission and ultimately the City Council; 2) provide that all City employees have a minimum of 11 paid holidays per year; 3) provide three weeks paid vacation for all City employees after five years of service, and 4) to immediately adopt the Classification Survey recommendations with the provision that any group of City employees and any individual employee shall have the right to petition the Civil Service Commission for amendments to the Classification Plan, and may appeal any decision to the City Council, and 5) that immediate steps be taken to provide a \$25.00 across the board salary increase for all city employees to be effective no later than January 1, 1954. General discussion is had with A. P. Hamann, City Manager. Councilman Watson proposes and moves adoption of resolution that the City Attorney be directed to prepare and submit proposed ordinances providing for requests (1), (2) and (3), seconded by Councilman Santora. General discussion ensues during debate on the question. Councilman Santora requests and is granted permission to leave session. Councilman Solari proposes and moves adoption of resolution that the resolution heretofore proposed be amended to read that request (1), (2) and (3) be referred to the Committee of the Whole for consideration with the Civil Service Commission on December 8, 1953, seconded by Councilman Foley and adopted:

Councilman Santora
Leaves Session

Ayes: Councilmen - Doerr, Foley, Solari, Watson
and Hathaway.
Noes: Councilmen - Starbird.
Absent: Councilmen - Santora.

S.J. Water Works
Hearing For
Increase In Rates

Notification of hearing before the Public Utilities Commission to be held at 9:30 o'clock A.M., December 16, 1953, Room A, Municipal Auditorium, on application of the San Jose Water Works for an increase in rates, is presented and by unanimous consent, filed.

Claim For Injuries
Land, Ella

Claim of Ella Land in amount of \$25,000.00 for alleged injuries received October 2, 1953, on Santa Clara Street at 14th Street, is presented. Councilman Watson proposes and moves adoption of resolution that said claim be referred to the City Attorney for consideration, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Proposed Sewer Connection
Portion of Area Within
County Sanitation
District No. 3

Communications from H. R. Thomas and F. V. Shoemaker dated November 24, December 1 and 3, 1953, requesting determination of annual service charge which would be required by City for disposal of sewage from Tract No. 750, Ferrymont Orchard, Unit No. 1, being a portion of Lot 16 and 17 of the W. H. Stone Subdivision and Tract No. 1201, Ferrymont Orchard, Unit No. 2, being a portion of Lot 16 of the W. H. Stone Subdivision through proposed sewer lines of County Sanitation District No. 3, into sewer in Monterey Road, thence through the City's Outfall Sewer, are presented. Councilman Starbird proposes and moves adoption of resolution that said requests be referred to the Committee of the Whole for consideration and report, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Public Pool or
Billiard Room
389 S. 1st St.
Application

Application of Arthur L. Budros for a permit to operate and maintain a public pool or billiard room at 389 S. 1st Street, is read and reported in proper form. Councilman Watson proposes and moves adoption of resolution that 8:00 o'clock P.M., December 21, 1953, Council Chambers, City Hall, be fixed as time and place for public hearing on said application, pursuant to Section 6212.3 of the San

Jose Municipal Code, seconded by Councilman Starbird and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Doll House
Exchange Club

Request of the San Jose Exchange Club for permission to place a 6' x 12' "Doll House" at the S. end of loading zone in front of Grant's, 146 S. 1st Street from December 8 through December 25, 1953, advertising the fifth annual "Toys for Joy" drive, heretofore referred to and approved by the Chief of Police, is read. Councilman Starbird proposes and moves adoption of resolution that said request be granted subject to filing policy of insurance insuring the City of San Jose, its officers and employees, in form satisfactory to the City Attorney, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Marquee
1188-1196 S. 2nd St.

John Rania presents and files request for permission to erect an 8' marquee extending 7' over sidewalk at 1188 to 1196 S. 2nd Street and 2' over sidewalk on Humboldt Street in connection with the construction of store building at the NE corner of 2nd and Humboldt Streets. Councilman Starbird proposes and moves adoption of resolution that said request be referred to the City Attorney for consideration and report on December 14, 1953, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Complaint
No Parking
W. San Carlos St.
(Certain Hours)

Tony Merlino, S & S Welding Works, 521 W. San Carlos Street, complains of the no parking restriction during certain hours on both sides of W. San Carlos Street. General discussion is had relative to said no parking restrictions and feasibility of establishing one-way traffic on San Carlos Street. Councilman Doerr proposes and moves adoption of resolution that the Traffic Analyst, Police Department, be directed to study and report on the effectiveness of the prohibited parking during certain hours on the N. side of W. San Carlos Street, between Vine Street and Bird-Montgomery Street, and on the S. side,

between Almaden and Royal Avenues and to report on feasibility of establishing one-way traffic on San Carlos Street, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Proposed 4-way
Stop Signs
Dana & Shasta Aves.

August E. Azzarello, Attorney at Law, presents and files petition of Vernon R. Caldwell and others requesting that four-way stop signs be installed at Dana and Shasta Avenues. Councilman Watson proposes and moves adoption of resolution that said request be referred to the Traffic Analyst, Police Department, for consideration and report on December 21, 1953, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Ordinance No. 4277
Closing & Abandoning
Unnamed Alley
S. of Keyes St.

Ordinance No. 4277, entitled: "An Ordinance Of The City Of San Jose Closing And Abandoning A Portion Of An Unnamed Public Alley 15 Feet In Width Running Between Lots 1, 2, 3, And 4 And Between Portions Of Lots 5 And 6 Of Block 61 As Shown Upon The Map Entitled 'Map Of The Lands Of The Vineyard Homestead Association' Recorded In Book A, Page 78, Of Maps, Santa Clara County Records, In The Office Of The County Recorder Of Santa Clara County, California", passed to print November 23, 1953, is given final reading and upon motion of Councilman Starbird, seconded by Councilman Foley, adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Ordinance No. 4278
Annual Audit
of Accounts
Logan & Frazer

Ordinance No. 4278, entitled: "An Ordinance Of The City Of San Jose Authorizing The Mayor And City Manager To Execute A Memorandum Of Agreement With Raymond R. Frazer Doing Business As Logan And Frazer, A Certified Public Accountant, For The Employment Of Said Party For The Purpose Of Making An Annual Audit Of Accounts As Required By Section 73 Of The Charter Of The City Of San Jose For The Fiscal Year Commencing September 1, 1953, And Ending August 31, 1954; And Authorizing The Expenditure Of The Sum Of \$1500.00 For The Purpose Of

Compensating Said Accountant In Accordance With And Subject To The Terms Of Said Agreement", passed to print November 23, 1953, is given final reading and upon motion of Councilman Starbird, seconded by Councilman Watson, adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Complaint
Parking Adjacent
To Subways
(398 Willow St.)

Council now considers complaint presented November 23, 1953, by Mrs. Sebastian Nazzisi, of hazardous condition in front of her home at 398 Willow Street, caused by vehicular parking adjacent to her driveway, and requesting that parking be prohibited at the approach of the Willow Street subway, as deferred from November 23, 1953.

Report of A. B. Philpott, Traffic Analyst, dated December 7, 1953, is presented by the City Manager. General discussion is had with Mrs. Nazzisi, Mrs. Leslie Krause and Dr. L. O. Johnson. Councilman Watson proposes and moves adoption of resolution that consideration of said complaint be deferred to December 14, 1953 and that the Traffic Analyst be present at said meeting, seconded by Councilman Starbird and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Subordination of
Reversionary Rights
SE 10th & Martha Sts.

City Clerk reports that request of the San Jose Abstract and Title Insurance Company, requesting subordination of reversionary rights on property sold in 1941 to Luther and Hetty Sovy, located near the SE corner of 10th and Martha Streets, has been withdrawn.

Proposed Rezoning
SW Meridian Rd.
& Park Ave.

Report and recommendation of the City Planning Commission, pursuant to Section 9112.1(c) of the San Jose Municipal Code, that the property on the SW corner of Meridian Road and Willow Street be rezoned from R-3 Residence District to C Commercial District (Professional-Office), is presented. Councilman Starbird proposes and moves adoption of resolution that 8:00 o'clock P.M., December 28, 1953, Council Chambers, City Hall, be fixed as time and place for the purpose of considering and discussing said proposed rezoning, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

"Tot Yard"
Kaiser District

Report of the City Planning Commission on the request of Ralph C. Gay, President of the West Side Improvement Association, presented July 13, 1953, that Kaiser Community Homes donate or sell all or a portion of Lots 27, 28, 29 and 30 of Tract No. 571, Kaiser Community Homes, and that the City develop said lands, if so acquired, into "Tot-Yard", and recommending that said proposal is not feasible, with the reasons therefor, is read. Councilman Starbird proposes and moves adoption of resolution that said report and recommendation be accepted and approved, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Minnesota Ave.
Bridge

Recommendation of the City Planning Commission, pursuant to Section 94, Charter, that the plan of design for the Minnesota Avenue Bridge over the Lewis Canal, as referred on November 16, 1953, be approved, is read. Councilman Watson proposes and moves adoption of resolution that said recommendation be accepted and approved, seconded by Councilman Foley, and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Fire House
1161 Minnesota Ave.

Report of the City Planning Commission on the proposal to develop unused property lying N. of the Fire House at 1161 Minnesota Avenue, to provide ingress and egress to Brace Avenue, as referred on June 8, 1953, and recommending that said proposal is not feasible because of prohibitive cost and hazards involved, is read. Councilman Watson proposes and moves adoption of resolution that said report and recommendation be accepted and approved, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Sign Over Official
Plan Line
367 Almaden Ave.

Recommendation of the City Planning Commission, by authority of Sections 8612.1 of the San Jose Municipal Code, that the On The Spot Television Company be permitted to erect a neon pole sign extending 11' 8" beyond the Official Plan Line at 367 Almaden Avenue,

in accordance with plot plan on file in the Department of Building, is presented. Councilman Watson proposes and moves adoption of resolution that revocable permit be granted pursuant to 8621 of the San Jose Municipal Code, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

**Sidewalk Encroachment
NW Lincoln Ave. &
Willow St.**

Recommendation of the City Planning Commission that the Standard Oil Company be granted a temporary encroachment permit to maintain an existing concrete island and steel pole on the NW corner of Lincoln Avenue and Willow Street, extending 6" to " into the sidewalk area in accordance with map on file in the office of the City Engineer, until such time as the service station is relocated in connection with the widening of Lincoln Avenue, is read. Councilman Starbird proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

**Off-Street Parking
Facilities**

NW Willow & Palm Sts. Resolution of the City Planning Commission, by authority of Section 9107.9 et seq. of the San Jose Municipal Code, granting Santa Clara Valley Investment Co., Inc., permission to use Lot 8, as shown upon map of Palm Tract on file in Book K of Maps, Page 90, Santa Clara County Recorder's Office, for off-street parking facilities in connection with the multiple-dwelling units to be constructed at the NW corner of Willow and Palm Streets, subject to the following conditions: 1) that the front yard space on Palm Street between the building line and the street property line be adequately landscaped and maintained; 2) that a 4' wall or fence be constructed along the northerly property line extending from the front building line to the rear property line; 3) that the entire parking area be surfaced with asphalt, concrete or other suitable material approved by the Superintendent of Streets and shall be maintained free of all weeds, grass and dust; 4) that the parking area shall be used only for passenger vehicles parking and there shall be no sales, dead storage, repair

work, dismantling or servicing of any kind on said parking area; 5) that lighting facilities, if provided, shall be so arranged as to be reflected away from the adjoining residences so as to cause no annoying glare, is read. Councilman Starbird proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

"Airport No. 1"
Zoning

Recommendation of the City Planning Commission that proposed emergency ordinance, classifying into districts the uninhabited area designated "Airport No. 1" annexed on November 19, 1953, and proposed resolution requiring the City Planning Commission to make tentative report on zoning said annexed area, be adopted, is read. Councilman Watson proposes and moves adoption of resolution that said recommendation be adopted, seconded by Councilman Starbird and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Ordinance No. 4283
Zoning
Airport No. 1
Emergency

Ordinance No. 4283, entitled: "An Emergency Ordinance Classifying Into Districts The Recently Annexed Area Known As Airport No. 1", is read and upon motion of Councilman Watson, seconded by Councilman Starbird, adopted as an ordinance for the immediate preservation of the public peace, health and safety:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Resolution No. 10068
Requiring Tentative
Report of Zoning
Airport No. 1

Resolution No. 10068, requiring the City Planning Commission to make tentative report on zoning annexed area known as "Airport No. 1", is read and upon motion of Councilman Watson, seconded by Councilman Starbird, adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

"El Arroyo No. 3"
Final Zoning
Resolution No. 10069

Resolution of the City Planning Commission, submitting Final Report on zoning annexed area designated "El Arroyo No. 3", is pre-

sented. Resolution No. 10069, directing public hearing on final report of the City Planning Commission on zoning annexed area known as El Arroyo No. 3, and providing notice of such hearing, is read and upon motion of Councilman Starbird, seconded by Councilman Watson, adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Committee on Finance
Meeting

Councilman Starbird, Chairman of the Committee on Finance, announces that said committee will meet at 4:30 o'clock P.M., December 9, 1953, Council Chambers, City Hall.

Payment Authorized

Certificate of H. J. Flannery, City Engineer, approved by the City Manager, that there is due and payable to A. J. Peters and Son on contract for the construction of concrete storm water sewers and appurtenances in San Jose Storm Sewer System, Route 5 and Vicinity, a partial payment of \$22,088.87, is read. Councilman Watson proposes and moves adoption of resolution that said payment be authorized, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Resolution No. 10070
Cooperative Agreement
State Aid - Rt. 68

Resolution No. 10070, approving the execution of that certain Cooperative Agreement between the City of San Jose and the State of California, Department of Public Works, Division of Highways, providing for the installation and maintenance of certain storm sewers by City in or adjacent to State Highway Route 68, and providing for the payment by the State of California of \$7,249.00, is presented by the Assistant City Attorney and upon motion of Councilman Watson, seconded by Councilman Starbird, adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Resolution No. 10071
Cooperative Agreement
State Aid - Rt. 5

Resolution No. 10071, approving the execution of that certain Cooperative Agreement between the City of San Jose and the State of California, Department of Public Works, Division of Highways, providing for the installation and maintenance of certain storm sewers by City in or adjacent to State Highway Route 5, and providing for the

payment by the State of California of \$16,846.76, is presented by the Assistant City Attorney and upon motion of Councilman Watson, seconded by Councilman Starbird, adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Ordinance No. 4284
Purchase of Property
(Worthen)
Polhamus-Naglee
Connection

Ordinance No. 4284, entitled: "An Ordinance Authorizing The City Manager And City Attorney To Purchase For Municipal Purposes A Certain Described Parcel Of Real Property From Willard F. Worthen And Clare R. Worthen, His Wife; To Deposit In Escrow And Pay The Purchase Price Of Said Parcel And To Pay Necessary Recording, Stamp, Tax, Escrow, Title Search And Such Other Fees And Expenses As Are Necessarily Incurred In Connection With Said Purchase; And Appropriating The Sum Of Seven Thousand Three Hundred Fifty-Six And 85/100 Dollars (\$7,356.85) From The 1952 Bridge And Street Bond Fund For Said Purposes", is presented by the Assistant City Attorney and upon motion of Councilman Starbird, seconded by Councilman Watson, passed to print:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Ordinance No. 4285
Architect's Agreement
Communications
Center

Ordinance No. 4285, entitled: "Ordinance Approving And Authorizing The Execution Of An Architect's Agreement Between Kurt Gross, Architect, And The City Of San Jose For The Preparation Of Necessary Plans, Designs, Specifications And Calculations To Be Used In Connection With The Construction Of A Communication Building By City, Near The Northeast Corner Of The Intersection Of West San Carlos And Almaden Streets, San Jose, California", is presented by the Assistant City Attorney and upon motion of Councilman Watson, seconded by Councilman Starbird, passed to print:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Resolution No. 10072
Determining Restricted
Parking Areas
(123 S. 3rd St.)

Resolution No. 10072, determining areas and districts within which restricted parking shall be permitted and repealing Resolution No. 9564, adopted July 14, 1952, is presented by the Assistant City

Attorney and upon motion of Councilman Starbird, seconded by Councilman Foley, adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Proposed Purchase
212 Almaden Ave.

A. P. Hamann, City Manager, presents offer for purchase by the City of property at 212 Almaden Avenue for \$12,000.00. Councilman Doerr proposes and moves adoption of resolution that the City Manager be authorized to negotiate for the purchase of said property, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

No Parking Restrictions
W. Side 24th St.

A. P. Hamann, City Manager, presents and files report of N. of Santa Clara St. A. B. Philpott, Traffic Analyst, on no parking restriction on west side of N. 24th Street, north of Santa Clara Street, and recommendation that the action taken November 23, 1953, directing the City Manager to have the curb painted red on the west side of 24th Street for a distance of 200' north of Santa Clara Street, be delayed for two weeks in order to review the effectiveness of the measures already taken relative to no parking in said area. By unanimous consent said report and recommendation are accepted and filed.

No Parking
Julian St. Between 4th
& San Pedro Sts.

Report and recommendation of A. B. Philpott, Traffic Analyst, that parking be prohibited on the north side of Julian Street between 4th Street and San Pedro Street from 7 o'clock to 9 o'clock A.M. and from 4 o'clock to 6 o'clock P.M., Sundays and holidays excepted, and on the south side of said street from 4 o'clock to 6 o'clock P.M., Sundays and holidays excepted, is presented by the City Manager. Councilman Foley proposes and moves adoption of resolution that consideration of said report and recommendation be deferred one week, seconded by Councilman Starbird and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Proposed Traffic Signal
35th & Santa Clara Sts.
Denied

Report of A. B. Philpott, Traffic Analyst, as referred on
November 2, 1953, on possible need of traffic signal at 35th and Santa
Clara Streets, indicating installation of said signal is 10th on the
present priority list, is presented by the City Manager. Councilman
Doerr proposes and moves adoption of resolution that said report be
accepted and filed and said traffic signal be not installed at this
time, seconded by Councilman Starbird and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Improve Facilities
Ground Observer Corps
(Airport)

Report of A. Alves, Post Supervisor, Ground Observer Corps,
dated November 30, 1953, indicating proposed improvements of facili-
ties at the San Jose Municipal Airport occupied by the Ground Observer
Corps, is read by the City Manager. By unanimous consent, the City
Engineer is directed to cause said improvements to be made.

Police Dept.
Form of Organization

Recommendation of the Chief of Police, dated December 2,
1953, that in accordance with Article X, Section 74, Charter, the
Council determine the Form of Organization of the Police Department
to be as follows, which will allow one additional patrolman:

- 1 - Chief of Police
- 1 - Assistant Chief of Police
- 1 - Inspector of Operations
- 1 - Chief of Detectives
- 2 - Captains
- 1 - Traffic Analyst
- 20 - Sergeants
- 1 - Supervisor, Bureau of Identification
- 1 - Assistant Supervisor, Bureau of Identification
- 5 - Identification Officers
- Director of Auxiliary Police
- 89 - Patrolmen
- 1 - Supervisor of Traffic Safety Patrol
- 2 - Juvenile Officers
- 1 - Policewoman
- 1 - Senior Stenographer Clerk
- 1 - Senior Typist Clerk
- 3 - Stenographer Clerks

is read. Councilman Watson proposes and moves adoption of resolution
that said recommendation be approved, seconded by Councilman Doerr
and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Child Health Conferences
Contracts

A. P. Hamann, City Manager, requests and Councilman Starbird proposes and moves adoption of resolution that the City Attorney prepare and submit proposed contracts with Bertha S. Mason, M.D., and Rachel Rafferty, M.D., for services in connection with child health conferences, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Public Welfare
Solicitation Com.
Appointment

A. P. Hamann, City Manager, presents and files request of the Public Welfare Solicitation Commission that an amendment to the San Jose Municipal Code be adopted to provide that members of said Commission who miss three consecutive regular meetings without reasonable excuse be declared resigned, that their offices be declared vacant, and that re-appointments be made. Councilman Starbird proposes and moves adoption of resolution that the City Attorney be directed to prepare and submit proposed ordinance providing that members of the Public Welfare Solicitation Commission who are absent from three consecutive regular meetings without reasonable excuse, be declared resigned, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Invite Bids
3 - 3-Wheel
Motorcycles

A. P. Hamann, City Manager, requests and Councilman Starbird proposes and moves adoption of resolution that the City Manager be authorized to invite bids for furnishing five 3-wheel motorcycles, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Meeting With
City of Santa Clara

By unanimous consent, the City Manager is directed to arrange a joint meeting with the Council of the City of Santa Clara and this Council.

Repair Underground
Power Line at Alum
Rock Park

Request of H. J. Flannery, City Engineer, that \$3,000 be appropriated to the Department of Public Works for installation of a duct for underground power lines in Alum Rock Park to replace the present defective line between the Lodge and the Plunge, with sketch

thereof attached, is presented by the City Manager. Councilman Watson proposes and moves adoption of resolution that said request be approved, seconded by Councilman Starbird and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Invite Bids
Asphalt Materials
Six Trucks

A. P. Hamann, City Manager, requests and Councilman Watson proposes and moves adoption of resolution that the City Manager be authorized to invite bids for furnishing, 1) Plant Mix-Surfacing and Asphalt Concrete Leveling Course Mixtures; 2) two 3/4-ton Pickup Trucks; 3) two 2-ton Truck Cabs and Chassis, 16,000 g.v.w. lbs.; 4) one 1/2-ton Pickup Truck; and 5) one 3/4-ton Pickup Truck with Hoist for the Departments of Public Works and Parks, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Dispose of Sweaters

A. P. Hamann, City Manager, requests and by unanimous consent, the City Manager is directed to dispose of used sweaters not now needed by the Junior Traffic Safety Patrol.

Monthly Reports

Reports of the Fire Department and the City Auditor for October, 1953, are presented and filed.

Annual Audit
F.C.E.R.S.

Request of the Retirement Board of the Federated City Employees Retirement System that Raymond R. Frazer, doing business as Logan and Frazer, Certified Public Accountant, be employed to perform annual audit of accounts for said Retirement System, is presented. Councilman Starbird proposes and moves adoption of resolution that the City Attorney be directed to prepare and submit said proposed contract, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Resolution No. 10073
Hacienda Gardens
Unit No. 3, Tract 1096 Hogar Drive, Julio Avenue, Irlanda Way, Gavota Avenue, and portions
Fixing Curb Grades

Map showing official curb grades and position of curbs for of Foxworthy Avenue, Hillsdale Avenue and Kirk Road, all in or adjacent to Hacienda Gardens, Unit No. 3, Tract No. 1096, is presented.

Resolution No. 10073, fixing official curb grades and position of curbs for said streets, is read and upon motion of Councilman Watson, seconded by Councilman Doerr, adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Resolution No. 10074
Hacienda Gardens
Unit No. 3, Tract 1096
Contract

Resolution No. 10074, approving and authorizing execution of contract with E. Larsen for the improvement of the streets in or adjacent to Hacienda Gardens, Unit No. 3, Tract No. 1096, is read and upon motion of Councilman Watson, seconded by Councilman Doerr, adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Resolution No. 10075
Hacienda Gardens
Unit No. 3 Tract 1096

Resolution No. 10075, adopting plans and specifications for Irlanda Way, the improvement of Hogar Drive, Julio Avenue, Gavota Avenue and portions of Foxworthy Avenue, Hillsdale Avenue and Kirk Road, all in or adjacent to Hacienda Gardens, Unit No. 3, Tract No. 1096, is presented and upon motion of Councilman Watson, seconded by Councilman Doerr, adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Alcoholic Beverage
Control Act

Notifications of liquor license applications filed with the State Board of Equalization are presented and by unanimous consent, filed.

Approval
Incur Expenses
White House
Mayor's Conference
National Security

Councilman Doerr proposes and moves adoption of resolution that the Mayor be allowed to incur expenses not to exceed \$500.00 for attendance at the White House Mayor's Conference on National Security Problems on December 14 and 15, 1953, Washington, D. C., and that the City Auditor be so advised, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Adjourn

Councilman Doerr proposes and moves adoption of resolution that the Council adjourn, seconded by Councilman Starbird and adopted:

Ayes: Councilmen - Doerr, Foley, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

Adjourn

Council now adjourns at 11:40 o'clock P.M.

Parker L. Hathaway
PARKER L. HATHAWAY
Mayor

Dorothy Covill
ATTEST: DOROTHY GOVILL
City Clerk

Mailed 5-28-54

Monday

San Jose, California

December 14, 1953

The Council of the City of San Jose convenes this day in regular session at 8:00 o'clock P.M., pursuant to adjournment.

Roll Call

Present: Councilmen - Doerr, Foley, Santora, Solari and Starbird.

Absent: Councilmen - Watson and Hathaway.

Mayor Pro Tempore

Councilman Foley proposes and moves adoption of resolution that Councilman Starbird preside as Mayor Pro Tempore in the absence of Mayor Hathaway, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Santora and Solari.
Having expressed his opinion that he is disqualified with reference to said question:

Not Voting: Councilmen - Starbird.

Noes: Councilmen - None.

Absent: Councilmen - Watson and Hathaway.

Invocation

Invocation is given by Reverend Harold E. Ring.

Minutes

Councilman Doerr proposes and moves adoption of resolution that consideration of the Minutes of regular sessions of August 31, September 8, 14, 21, 23, 28, October 5, 13, 14, 26, 28, November 2, 9, 16, 18, 23, and December 7, 1953, and special session of November 27, 1953, be deferred, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari and Starbird.

Noes: Councilmen - None.

Absent: Councilmen - Watson and Hathaway.

Lease
City-owned Lands
Airport
Parcels #9 & #10

This being the time and place fixed for lease at public auction, to the highest responsible bidder, for agricultural purposes only that certain city-owned land located at the San Jose Municipal Airport, not now needed for municipal purposes, known and designated as Parcel #9 and Parcel #10 in "Notice of Public Auction of Airport Lands - City of San Jose" dated December 1, 1953, on file in the office of the City Clerk, for the periods and upon the terms and conditions set forth in said notice. John B. Massen, Assistant City Manager, invites bids. Dante Giannini bids \$50.00 per acre per year; Harry Davis bids \$51.00 per acre per year and bidding continues with Harry Davis submitting final bid of \$75.00 per acre per year. No further bid is heard, whereupon bidding is closed. Councilman Solari proposes and moves adoption of resolution that said bid of Harry Davis be declared the highest responsible bid for the lease of said land,

and that said bid be accepted, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari
and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Watson and Hathaway.

Ordinance No. 4286
Leasing Airport
Lands To
Harry Davis

Ordinance No. 4286, entitled: "An Ordinance Leasing Certain
Parcels Of City-Owned Airport Agricultural Land; Describing Said Par-
cels; And Setting Forth The Rental For Said Parcels", is read and
upon motion of Councilman Doerr, seconded by Councilman Solari, passed
to print:

Ayes: Councilmen - Doerr, Foley, Santora, Solari
and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Watson and Hathaway.

S.W.G. No. 18
Annexation
(Uninhabited)
Hearing

This being the time and place fixed by Resolution No. 10058,
adopted November 9, 1953, when and where any person owning real pro-
perty in the uninhabited territory proposed to be annexed to the City
of San Jose and designated South Willow Glen No. 18, may object or
protest said proposed annexation, City Clerk advises that no protests
to said proposed annexation have been filed. Certificate of Pearce
Davies, dated December 14, 1953, stating that he has examined the
records of the Registrar of Voters of Santa Clara County and has
ascertained that no more than seven registered voters reside within
said territory proposed to be annexed; certificate of Pearce Davies,
dated December 14, 1953, stating that the parcels of real property
described in list attached thereto are all of the parcels of real
property within said territory proposed to be annexed and that said
list truly states the assessment numbers, owners, descriptions and
values of all the parcels of real property within said territory as
shown on the last equalized assessment roll, and certified copies of
records of Roy P. Emerson, Tax Collector of Santa Clara County, list-
ing assessment numbers, owner's name and post office address, value
of land and improvements of properties within said territory proposed
to be annexed, are presented by Pearce Davies. No person is present
desirous of being heard. Councilman Foley proposes and moves adoption
of resolution that said public hearing be closed, seconded by Council-
man Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Watson and Hathaway.

Resolution No. 10076
Determination of
Protests
S.W.G. No. 18
(Uninhabited)

Resolution No. 10076 finding and determining that protest to the proposed annexation of certain uninhabited territory designated as South Willow Glen No. 18 has not been made by owners of one-half of the value of said territory as shown on the last equalized assessment roll, nor by public and private owners equal to one-half the value of such territory as determined by the Council, is presented by the Assistant City Attorney and upon motion of Councilman Foley, seconded by Councilman Solari, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari
and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Watson and Hathaway.

Ordinance No. 4287
Annexing S.W.G. No. 18
(Uninhabited)

Ordinance No. 4287, entitled: "An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain Uninhabited Territory Designated As 'South Willow Glen No. 18' And Herein Described, And Herein Annexing Said Territory To Said City Of San Jose", is presented by the Assistant City Attorney and upon motion of Councilman Foley, seconded by Councilman Solari, passed to print:

Ayes: Councilmen - Doerr, Foley, Santora, Solari
and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Watson and Hathaway.

Proposed Ordinance
Regulating The
Dispensing Of
Flammable Liquids

This being the time and place designated on November 23, 1953, for public hearing to consider and discuss the proposed ordinance entitled: "An Ordinance Amending Article III, Chapter 1, Part 10 Of The San Jose Municipal Code By Adding Thereto Section 3110.01 Prohibiting Certain Automatic Dispensing Devices For Dispensing Class 1 Flammable Liquids", William B. Somers, Attorney at Law, appearing on behalf of some 30 gasoline service station operators, urges that said proposed ordinance be not adopted. General discussion is had with Jack Ball, August Fleck and others participating. Councilman Foley proposes and moves adoption of resolution that said public hearing be closed, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari
and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Watson and Hathaway.

Proposed Ordinance
Regulating The
Dispensing Of
Flammable Liquids

Councilman Santora proposes and moves adoption of resolution that said proposed ordinance, entitled: "An Ordinance Amending Article III, Chapter 1, Part 10 Of The San Jose Municipal Code By Adding Thereto Section 3110.01 Prohibiting Certain Automatic Dispensing Devices For Dispensing Class 1 Flammable Liquids", be not adopted, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari
and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Watson and Hathaway.

Proposed Regulations
Use of Automatic
Dispensing Of
Flammable Liquids

Councilman Doerr proposes and moves adoption of resolution that the City Attorney and the Fire Prevention Chief investigate and report on the feasibility of enacting an enforceable ordinance to provide that when Class 1 flammable liquids are dispensed into the fuel tank of any vehicle or any other type of container by the use of any automatic dispensing device, the operator or attendant in charge shall remain within a specified distance from said vehicle or container, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari
and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Watson and Hathaway.

Public Card Room
47 Post St.
Application

Application of Louis Harris for a permit to operate and maintain a public card room at 47 Post Street, is presented and reported in proper form. Councilman Foley proposes and moves adoption of resolution that 8:00 o'clock P.M., December 28, 1953, Council Chambers, City Hall, be fixed as the time and place for public hearing on said application, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari
and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Watson and Hathaway.

Junk Yard
18 N. 35th St.

Application of Joseph Manzone and Albert F. Montrezza for a permit to operate and maintain a junk yard at 18 N. 35th Street, is presented and reported in proper form. Councilman Santora proposes and moves adoption of resolution that said permit be granted, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari
and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Watson and Hathaway.

Santa Clara
County Jail

Copy of resolution adopted by the Council of the Town of Los Gatos, urging early action by Santa Clara County in the correction of conditions at the County Jail, is presented and by unanimous consent, filed.

Proposed Contract
County Sanitation
District No. 3

Communication from Mark Thomas and Co., Engineers, County Sanitation District No. 3, renewing request presented November 16, 1953, for sewage disposal contract and urging action on said request as soon as possible, is presented. Councilman Santora proposes and moves adoption of resolution that consideration of said request be deferred to December 17, 1953, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari
and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Watson and Hathaway.

Proposed Sewer
Connection of Portion
Of Area Within Co.
Sanitation District
No. 3

Communication from H. R. Thomas and F. V. Shoemake, dated December 10, 1953, relative to request presented December 7, 1953, for determination of annual service charge which would be required by City for disposal of sewage from Tract No. 750, Perryont Orchard, Unit No. 1, being a portion of Lot 16 and 17 of the W. H. Stone Subdivision and Tract No. 1201, Perryont Orchard, Unit No. 2, being a portion of Lot 16 of the W. H. Stone Subdivision, through proposed sewer lines of County Sanitation District No. 3, into sewer in Monterey Road, thence through the City's Outfall Sewer, is presented. Councilman Santora proposes and moves adoption of resolution that consideration of said request be deferred to December 17, 1953, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari
and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Watson and Hathaway.

Co. Sanitation
District No. 4

Communication from Spencer M. Williams, Deputy County Counsel, dated December 4, 1953, requesting certain information regarding contract with County Sanitation District No. 4 relative to its participation in the proposed Sewage Treatment Plant, is presented. Councilman Santora proposes and moves adoption of resolution that consideration of said request be deferred to December 17, 1953, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Watson and Hathaway.

Use of Oil
Royalty Funds

Communication from Shoreline Planning Association of California, Inc., Santa Monica, urging adoption of resolution that Section 6816 of the State Public Resources Code be not changed as proposed by Assembly Concurrent Resolution No. 109, passed by the State Legislature which authorized reconsideration of said Code section to determine whether or not impounded oil royalty funds should be diverted for purposes other than parks and beaches, is presented and by unanimous consent, filed.

Ordinance No. 4288
Salary - 5th Step

D. J. Scannell, appearing on behalf of the Municipal Employees Local 1058, and John E. Thorne, Attorney at Law, appearing on behalf of the San Jose Firefighters Local 873, renew request presented December 7, 1953, that the necessary ordinances be adopted to 1) provide top pay for City employees after 3 years of service and after four pay grade steps; 2) provide that all City employees have a minimum of 11 paid holidays per year; 3) provide 3 weeks paid vacation for all City employees after 5 years of service. General discussion is had. Ordinance No. 4288, entitled "Ordinance Of The City Of San Jose Amending Section 6 Of Ordinance No. 4000, Entitled: 'An Ordinance Fixing And Defining The Salary Ranges For Classes Of Offices And Positions Of Employment In The City Government Of The City Of San Jose, Effective On And After January 1, 1952, And Repealing Conflicting Ordinances,' By Providing For Automatic Salary Increases Upon Expiration Of Specified Periods Of Service Except Where Employees' Work Is Unsatisfactory", is presented by Ferdinand P. Palla, Assistant City Attorney, and upon motion of Councilman Doerr, seconded by Councilman Santora, passed to print:

Ayes: Councilmen - Doerr, Foley, Santora and Solari.
Noes: Councilmen - Starbird.
Absent: Councilmen - Watson and Hathaway.

3 Weeks Vacation
After 5 Years Service

General discussion continues on request that an ordinance be adopted providing for 3 weeks vacation for all City employees after 5 years of service. A. P. Hamann, City Manager, recommends that consideration be deferred one week to permit reports from all department

heads as to how many, if any, additional employees will be required to implement said added holiday benefits. D. J. Scannell urges that the City Attorney be directed to prepare and submit on December 21, 1953, proposed ordinances providing for 3 weeks vacation for all City employees after 5 years service, and a minimum of 20 paid holidays per year. General discussion is had. Councilman Doerr proposes and moves adoption of resolution that the City Attorney be directed to prepare and submit on December 21, 1953, proposed ordinance providing for 3 weeks vacation for all City employees after 5 years service, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Santora and Solari.
Noes: Councilmen - Starbird.
Absent: Councilmen - Watson and Hathaway.

Recess

Councilman Doerr proposes and moves adoption of resolution that the Council recess to reconvene at the call of the Mayor, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Watson and Hathaway.

Recess

Council now recesses at 9:08 o'clock P.M.

Reconvene

Council now reconvenes at 9:15 o'clock P.M., and the Clerk calls the roll:

Roll Call

Present: Councilmen - Doerr, Foley, Santora, Solari, Watson and Starbird.
Absent: Councilmen - Hathaway.

Can Line Bridge
Over S. 5th St.

Councilman Starbird, Mayor Pro Tempore, presents and files request of Barron-Gray Packing Company Division, Hawaiian Pineapple Company, Limited, for permission to construct a can line bridge over S. 5th Street, between Martha and Virginia Streets, to connect its main cannery building on the W. side of 5th Street with its new warehouse on the E. side of 5th Street, with drawings thereof attached. Councilman Doerr proposes and moves adoption of resolution that said request be referred to the City Attorney, the City Engineer, the Building Inspections Supervisor and the Director of Planning for consideration and report, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Proposed Fence
Coyote Creek
Opposite 314 & 17 St.

Petition of Marion McReland and others requesting that a fence be constructed on the city-owned land located on the Coyote Creek opposite 314 S. 17th Street, is presented by the Assistant City Attorney. Councilman Solari proposes and moves adoption of resolution that said request be referred to the City Engineer for investigation and report, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Ordinance No. 4280
Confirming Sale of
City-Owned Bldgs.
260-278 Almaden Ave.

Ordinance No. 4280, entitled: "An Ordinance Confirming The Sale Of Certain City-Owned Residential Buildings Located At Numbers 260 And 278 Almaden Avenue, San Jose, California, Not Required For Municipal Purposes And Setting Forth The Terms And Conditions Of The Sale", passed to print December 7, 1953, is given final reading and upon motion of Councilman Santora, seconded by Councilman Foley, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Ordinance No. 4281
Annexing
Bascom No. 22
(Uninhabited)

Ordinance No. 4281, entitled: "An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain Uninhabited Territory Designated As 'Bascom No. 22' And Herein Described, And Herein Annexing Said Territory To Said City Of San Jose", passed to print December 7, 1953, is given final reading and upon motion of Councilman Foley, seconded by Councilman Santora, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Ordinance No. 4282
Rezoning N. Side
St. John St.
13th-Coyote River

Ordinance No. 4282, entitled: "An Ordinance Amending The San Jose Municipal Code By Adding A New Section Thereto To Be Numbered 9102.44z7, Relating To Zoning", passed to print December 7, 1953, is given final reading and upon motion of Councilman Doerr, seconded by Councilman Watson, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Ordinance No. 4284
Purchase of Property
(Worthen)
Polhemus-Naglee
Connection

Ordinance No. 4284, entitled: "An Ordinance Authorizing The City Manager And City Attorney To Purchase For Municipal Purposes A Certain Described Parcel Of Real Property From Willard F. Worthen And Clare R. Worthen, His Wife; To Deposit In Escrow And Pay The Purchase Price Of Said Parcel And To Pay Necessary Recording, Stamp, Tax, Escrow, Title Search And Such Other Fees And Expenses As Are Necessarily Incurred In Connection With Said Purchase; And Appropriating The Sum Of Seven Thousand Three Hundred Fifty-Six And 85/100 Dollars (\$7,356.85) From The 1952 Bridge And Street Bond Fund For Said Purposes", passed to print December 7, 1953, is given final reading and upon motion of Councilman Watson, seconded by Councilman Doerr, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Ordinance No. 4285
Architect's Agreement
Communications
Center

Ordinance No. 4285, entitled: "Ordinance Approving And Authorizing The Execution Of An Architect's Agreement Between Kurt Gross, Architect, And The City Of San Jose For The Preparation Of Necessary Plans, Designs, Specifications And Calculations To Be Used In Connection With The Construction Of A Communication Building By City, Near The Northeast Corner Of The Intersection Of West San Carlos And Almaden Streets, San Jose, California", passed to print December 7, 1953, is given final reading and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

Ayes: Councilman - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Marquee
1188-1196 S. 2nd St.

Council now considers request of John Rania for permit to erect a marquee extending over the sidewalk 7' on S. 2nd Street and 2' on Humboldt Street, in connection with store buildings being constructed at 1188-1196 S. 2nd Street, as deferred from December 7, 1953. Ferdinand P. Palla, Assistant City Attorney, reports that said marquee has been approved by the Building Inspection Supervisor and is in proper form. Councilman Santora proposes and moves adoption of resolution that said permit be granted, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Complaint
Parking Adjacent
To Subways
(398 Willow St.)

Council now considers report of the Traffic Analyst presented December 7, 1953, on complaint presented November 23, 1953, by Mrs. Sebastian Nazzisi of the hazardous condition in front of her home at 398 Willow Street caused by vehicular parking adjacent to her driveway, and requesting that parking be prohibited at the approach of the Willow Street Subway. General discussion is had with the Traffic Analyst and Mrs. Sebastian Nazzisi. Councilman Santora proposes and moves adoption of resolution that consideration of said complaint and report be deferred to December 21, 1953, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

No Parking
Julian St. Between
4th & San Pedro Sts.

Council now considers report and recommendation of the Traffic Analyst that parking be prohibited on the north side of Julian Street, between 4th Street and San Pedro Street from 7:00 o'clock to 9:00 o'clock A.M. and from 4:00 o'clock to 6:00 o'clock P.M., Sundays and holidays excepted, and on the south side of said street from 4:00 o'clock to 6:00 o'clock P.M., Sundays and holidays excepted, deferred from December 7, 1953. General discussion is had with the Traffic Analyst. Councilman Solari proposes and moves adoption of resolution that 8:00 o'clock P.M. December 28, 1953, Council Chambers, City Hall, be fixed as time and place for the purpose of considering and discussing said recommendation, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Proposed 4-Way Stop
10th & Julian Sts.

Councilman Watson proposes and moves adoption of resolution that consideration of the installation of four-way stop signs at 10th and Julian Streets be referred to the Traffic Analyst for re-study and report, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Rear Yard Adjustment
N.E. Woodland &
N.Redwood Aves.

Resolution of the City Planning Commission, by authority of Article IX, Chapter 1, Part 7 of the San Jose Municipal Code, granting rear yard adjustment to 15' at the NE corner of Woodland Avenue and N. Redwood Avenue, to permit construction of utility, storage and play room in rear of attached garage, in accordance with plot plan on file in the Department of Building, is presented. Councilman Watson proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Sale of Christmas Trees
NE The Alameda &
Pershing Ave.

Resolution of the City Planning Commission, by authority of Article IX, Chapter 1, Part 7 of the San Jose Municipal Code, granting an adjustment to A. J. Decia to sell Christmas trees on lot at the NE corner of The Alameda and Pershing Avenues for the 1953 season only, is presented. Councilman Santora proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Proposed Rezoning
N & S Sides
E. Julian St.
2nd to 5th Sts.

Report and recommendation of the City Planning Commission, pursuant to Section 9112.1 of the San Jose Municipal Code, that those portions of certain property fronting on the north and south sides of E. Julian Street from a point 137.84' west of the west line of 3rd Street to a point 137.84' east of the east line of N. 4th Street, which is not now zoned C-3 Commercial District, be rezoned from R-4 Residence District to C Commercial District (Professional-Office) with description thereof, is read. Councilman Foley proposes and moves adoption of resolution that pursuant to Section 9112.1(b) of the San Jose Municipal Code, 8:00 o'clock P.M., January 5, 1954, Council Chambers, City Hall, be fixed as time and place for the purpose of considering and discussing said proposed rezoning, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Tentative Zoning
"Airport No. 1"
Res. No. 10076.1

Resolution of the City Planning Commission, adopted December 8, 1953, entitled: "Resolution Submitting To Council Tentative Report On Zoning Annexed Area Known As 'Airport No. 1'", is presented. Resolution No. 10076.1 directing public hearing on tentative report of City Planning Commission on zoning annexed area known as "Airport No. 1", and providing for notice of such hearing, is read and upon motion of Councilman Doerr, seconded by Councilman Foley, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Payment Authorized

Certificate of H. J. Flannery, City Engineer, approved by the City Manager, that there is due and payable to A. J. Peters and Son on contract for the construction of concrete storm water sewers and appurtenances in San Jose Storm Sewer System, Route 5 and Vicinity, a partial payment of \$2,548.20, is read. Councilman Santora proposes and moves adoption of resolution that said payment be authorized, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Monthly Report

Report of the Health Department for November, 1953, is read and filed.

San Jose-Santa Clara
Relations Committee
Meeting

A. P. Hamann, City Manager, reports that there will be a meeting of the San Jose-Santa Clara Relations Committee at 8:00 o'clock P.M., January 7, 1954, in the office of the San Jose City Planning Commission.

Proposed Purchase
SW Minor & Auzerais Aves.
(Fire House Site)

A. P. Hamann, City Manager, requests and Councilman Santora proposes and moves adoption of resolution that the City Manager be authorized to bid up to \$11,000.00 for the purchase of lot at the SW corner of Auzerais and Minor Avenues for Fire House site, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Invite Bids
Duplicating Machine

A. P. Hamann, City Manager, requests permission to invite bids for the purchase of one offset duplicating machine. Councilman Watson proposes and moves adoption of resolution that consideration of said request be deferred to December 21, 1953, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Stop Signs
10th & Alma Sts.

Report of A. B. Philpott, Traffic Analyst, dated December 9, 1953, on proposed installation of stop signs on Alma Avenue, stopping vehicular traffic before entering 10th Street, as referred on September 28, 1953, and recommending that a stop sign be installed and a stop line and the word "Stop" be painted at the east approach of said intersection and advising that the westerly approach is within the jurisdiction of the County of Santa Clara and it will provide the same installation, is presented by the City Manager. Councilman Doerr proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

No Parking Regulations
N. 24th St.
Santa Clara St. to
McKee Rd.

Report of A. B. Philpott, Traffic Analyst, dated December 14, 1953, relative to the citations issued for violation of "No Parking" regulations presently in effect on N. 24th Street between Santa Clara Street and McKee Road, is presented by the City Manager and by unanimous consent, accepted and filed.

Off Street
Parking

Communication from Charles M. Smith, dated December 7, 1953, of plan whereby the City would save one-half million dollars or more in interest charges on a two million dollar revenue bond issue for off-street parking, is presented by the City Manager. Charles M. Smith appears in support of said plan. By unanimous consent said communication is filed.

Ordinance No. 4289
Purchase Property
212 Almaden Ave.
(Off-St. Parking)

Ordinance No. 4289, entitled: "An Ordinance Authorizing The City Manager And City Attorney To Purchase For Municipal Purposes, A Certain Parcel Of Real Property From Emma S. Schmid, Helen Prentis

And Anetta Arnston; To Deposit In Escrow And Pay The Purchase Price Of Said Parcel And To Pay Necessary Recording, Stamp Tax, Escrow, Title Search And Other Fees And Expenses Necessarily Incurred In Connection With Said Purchase; And Appropriating The Sum Of Twelve Thousand Two Hundred Fifty (\$12,250.00) Dollars From The Public Improvement Fund For Said Purchase", is presented by the Assistant City Attorney and upon motion of Councilman Doerr, seconded by Councilman Santora, passed to print:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Ordinance No. 4290
Appropriation For
Underground Ducts
In Alum Rock Park

Ordinance No. 4290, entitled: "An Ordinance Of The City Of San Jose Appropriating Three Thousand And No/100 Dollars (\$3,000.00) From The General Fund, Unappropriated Surplus To The Public Works Department Outlay Account No. 8-3251 For The Installation Of A Duct For Underground Power Lines At Alum Rock Park", is presented by the Assistant City Attorney and upon motion of Councilman Santora, seconded by Councilman Watson, passed to print:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Ordinance No. 4291
Membership
Public Welfare
Solicitation Com.

Ordinance No. 4291, entitled: "An Ordinance Of The City Of San Jose Amending Topic 1 Of Part 3 Of Chapter 2 Of Article II Of The San Jose Municipal Code By Adding Thereto A New Section Number 2230.2 Providing For The Automatic Termination Of The Term Of Office Of A Member Of The Public Welfare Solicitation Commission Upon His Failure To Attend Three Consecutive Meetings Of Such Commission, And Providing For The Filling Of Vacancies In Such Commission By The City Manager", is presented by the Assistant City Attorney and upon motion of Councilman Doerr, seconded by Councilman Watson, passed to print:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Resolution No. 10077
Donate Unused
Traffic Safety
Patrol

Resolution No. 10077 finding it to be in the public interest that certain surplus sweaters now owned by the City be donated to Charity, and authorizing and directing the City Manager to so do, is

presented by the Assistant City Attorney and upon motion of Councilman Doerr, seconded by Councilman Solari, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Resolution No. 10078
Appointing
Mayor Pro Tempore

Resolution No. 10078 electing and appointing Councilman Starbird as Mayor Pro Tempore during the period from December 14, 1953, until the return of Mayor Parker L. Hathaway, but not to extend beyond December 17, 1953, is presented by the Assistant City Attorney and upon motion of Councilman Doerr, seconded by Councilman Santora, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari
and Watson.
Having expressed his opinion that he is dis-
qualified with reference to said question:
Not Voting: Councilmen - Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Resolution No. 10079
Determination
Sewage Treatment
Plant

Resolution No. 10079, declaring the opinion of the Council that in reference to the proposed construction of the San Jose Sewage Treatment Plant within the City of Alviso, all matters relating to said plant, its operation and maintenance be left within the discretion of the Water Pollution Board of the State and authorizing the City Manager and the City Engineer to further negotiate with the City of Alviso concerning permits for the construction of said plant, is presented by the Assistant City Attorney and upon motion of Councilman Santora, seconded by Councilman Solari, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Permit By
City of Alviso
Sewage Treatment
Plant

Leopold Diel, Second Assistant City Attorney, reports and advises that the conditions contained in Resolution No. 10079 to be met by the City of Alviso are not enforceable by the City of San Jose, but rest on the good offices of the City of Alviso only.

Resolution No. 10080
Minnesota Manor
Tract No. 1245
Fixing Curb Grades

Map showing official curb grades and position of curbs for Brookdale Drive and portions of Hicks Avenue and Weaver Drive, all in and adjacent to Minnesota Manor, Tract No. 1245, is presented. Resolu-

tion No. 10080 fixing official curb grades and position of curbs for Brookdale Drive and portions of Hicks Avenue and Weaver Drive, all in and adjacent to Minnesota Manor, Tract #1245, is read and upon motion of Councilman Santora, seconded by Councilman Watson, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Resolution No. 10081
Minnesota Manor
Tract No. 1245
Adopting Plans

Resolution No. 10081 adopting plans and specifications for the improvement of Brookdale Drive and portions of Hicks Avenue and Weaver Drive, all in and adjacent to Minnesota Manor, Tract #1245, is read and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Resolution No. 10082
Minnesota Manor
Tract No. 1245
Approving Final Map

Resolution No. 10082 approving and accepting Final Map of Minnesota Manor, Tract No. 1245, is presented and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Resolution No. 10083
Contract For Improvement
Minnesota Manor
Tract No. 1245

Resolution No. 10083 approving and authorizing execution of contract with Romani Bros., a copartnership, for improvement of Brookdale Drive and portions of Hicks Avenue and Weaver Drive, all in and adjacent to Minnesota Manor, Tract No. 1245, is presented and upon motion of Councilman Solari, seconded by Councilman Santora, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Resolution No. 10084
Sewering Campbell Ave.
Adopting Plans

Resolution No. 10084 adopting plans and specifications for the improvement of a portion of Campbell Avenue from the N. property line of Newhall Street to a point 1208' northerly, by sewerage, is presented and upon motion of Councilman Watson, seconded by Councilman Solari, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Alcoholic Beverage
Control Act

Notifications of liquor license applications filed with the
State Board of Equalization are presented and by unanimous consent,
filed.

One Week
Legal Dept.
Requests

Councilman Watson proposes and moves adoption of resolution
that the City Attorney be given at least one week's notice when any
opinions, questions or other items are to be handled by his department,
seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.


Adjourn

Councilman Santora proposes and moves adoption of resolution
to meet again in regular session at 4:00
that the Council adjourn, *at 4:00 PM, December 17, 1973* seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Hathaway.

Adjourn

Council now adjourns at 10:38 o'clock P.M.



GEORGE STARBIRD
Mayor Pro Tempore

Dorothy Covill
ATTEST: DOROTHY COVILL
City Clerk

Mailed 6-25-54

Thursday

San Jose, California

December 17, 1953

The Council of the City of San Jose convenes this day in session at 4:00 o'clock P.M., pursuant to adjournment.

Roll Call

Present: Councilmen - Doerr, Foley, Santora, Solari, Watson and Hathaway.

Absent: Councilmen - Starbird.

Minutes

Councilman Santora proposes and moves adoption of resolution that consideration of the Minutes of regular sessions of August 31, September 8, 14, 21, 23, 28, October 5, 13, 14, 26, 28, November 2, 9, 16, 18, 23, December 7 and 14, 1953, and special session of November 27, 1953, be deferred, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Watson and Hathaway.

Noes: Councilmen - None.

Absent: Councilmen - Starbird.

Appreciation
St. Leo's Dad Club
Play Street

Appreciation of the St. Leo's Dad's Club for allowing the use of W. San Fernando Street as a "Play Street" for the students of St. Leo's School, is read and filed.

Resolution No. 10085
Extending Time
Major City Streets

Request of Leo F. Piazza Paving Co., for an extension of time through December 31, 1953, in which to complete its contract for the improvement of Julian Street, MCS Project 71; St. John Street, MCS Project 79; St. James Street, MCS Project 80; 17th Street, MCS Project 135; Reed Street, MCS Project 142; Taylor Street, MCS Project 143; Virginia Street, MCS Project 145, is presented. H. J. Flannery, City Engineer, recommends that said request be granted. Resolution No. 10085 extending time in which to complete contract for improvement of portions of Major City Streets, to-wit: Julian Street, St. John Street, St. James Street, 17th Street, Reed Street, Taylor Street and Virginia Street, is read and upon motion of Councilman Watson, seconded by Councilman Solari, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Watson and Hathaway.

Noes: Councilmen - None.

Absent: Councilmen - Starbird.

Spur Track
Campbell Ave.
S.P. Co.

Application of Southern Pacific Company for a permit to construct, maintain and operate a spur track in and across Campbell Avenue, shown on Coast Divn. Drawing No. 28365 of the Southern Pacific Company, dated December 7, 1953, attached, is read. Council-

man Watson proposes and moves adoption of resolution that said application be referred to the City Attorney, the Director of Planning and the City Engineer for consideration and report, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Starbird.

Outside Sewer
Connection
Levi Strauss & Co.

Communication from Levi Strauss & Co., dated December 15, 1953, requesting a permit to connect premises located outside the City at SW corner of Phelan Avenue and Senter Road, to be used for storage warehouse and shipping center, with the City sewer system, to continue until such time as either 1) County Sanitation District No. 3 enters into a contract with the City to handle its effluent, or 2) provide facilities of its own for complete sewage disposal, or 3) when and if Levi Strauss & Co., elects to annex to the City, is read. General discussion is had with the City Manager. Councilman Solari proposes and moves adoption of resolution that said request be granted subject to compliance with Section 7300 et seq. of the San Jose Municipal Code, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Starbird.

County Sanitation
District No. 2
Sewage Disposal

Communication from Spencer M. Williams, Deputy County Counsel, dated December 16, 1953, on behalf of the Board of Directors of County Sanitation District No. 2, requesting certain specific information in order to determine whether it will elect to pay to City its proportionate cost of the construction of the treatment plant or pay a rental fee for its use, as provided in paragraph 3 of the contract between the City and County Sanitation District No. 2, dated May 31, 1949, is presented. Councilman Watson proposes and moves adoption of resolution that said request be referred to the Committee of the Whole for consideration and report, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Starbird.

Recess

Councilman Watson proposes and moves adoption of resolution that the Council recess to meet as a Committee of the Whole and to reconvene at the call of the Mayor, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Starbird.

Recess

The Council now recesses at 4:22 o'clock P.M.

Reconvene

The Council now reconvenes at 5:40 o'clock P.M., and the Clerk calls the roll:

Present: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Absent: Councilmen - None.

Proposed Operation
Sewage Treatment Plant
& Outfall Sewer

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Watson proposes and moves adoption of resolution that the City Manager, City Engineer and City Attorney be directed to consider and report on the feasibility of a proposed plan of operation of the Sewage Treatment Plant and the use of the Outfall Sewer on a rental basis, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

County Sanitation
District No. 2
Sewage Disposal

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Doerr proposes and moves adoption of resolution that the City Manager be directed to advise County Sanitation District No. 2 that it will not be possible to furnish the specific information requested in communication dated December 16, 1953, until such time as a contract is agreed upon with the City of Alviso for the construction of the primary Sewage Treatment Plant in that City, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

County Sanitation
District No. 3
Sewage Disposal

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Doerr proposes and moves adoption of resolution that the City Manager be directed to advise County Sanitation District No. 3 that it will not be possible to enter into a contract

with said District for sewage disposal until re-negotiations are completed on all contracts now pending with other districts, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Proposed Sewer Connection
Portion of Area Within
County Sanitation
District No. 3

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Starbird proposes and moves adoption of resolution that the City Manager be directed to advise H. R. Thomas and F. V. Shoemaker, in response to request filed December 14, 1953, that until a contract is entered into with County Sanitation District No. 3 for sewage disposal, which cannot be done until re-negotiations are completed on all contracts now pending with other districts, no determination can be made on their request, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

County Sanitation
District No. 4

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Doerr proposes and moves adoption of resolution that the City Manager be directed to advise County Sanitation District No. 4, in response to its request filed December 14, 1953, that it will not be possible to furnish the specific information requested until such time as a contract is agreed upon with the City of Alviso for the construction of the primary sewage treatment plant in that city, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Proposed Purchase
Park Site
NW Moorpark Ave.
& Monroe St.

A. P. Hamann, City Manager, advises of receipt of offer to purchase approximately 8 acres of land on the N. side of Moorpark Avenue westerly of Monroe Street, for \$55,000.00 from Rocco and Mary DiNapoli, for park site and recommends and Councilman Doerr proposes and moves adoption of resolution that the City Manager be authorized to negotiate for said purchase, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Committee of the Whole
Meeting

Mayor Hathaway advises that the Council will meet as a Committee of the Whole at 7:00 o'clock P.M., December 21, 1953, City Hall, to hear his report on the White House Mayors Conference on National Security Problems, held December 14 and 15, 1953, in Washington, D. C.

Resolution No. 10086
Agreement With
Alviso
Sewage Treatment
Plant

Resolution No. 10086, authorizing the Mayor and City Manager to enter into a contract with the City of Alviso setting forth the terms and conditions that will govern the issuance of a permit by the City of Alviso for the construction of the proposed San Jose Sewage Treatment Plant, and setting forth the terms of said agreement, is presented by the City Manager. Leopold Diel, Assistant City Attorney, reports that it is the opinion of the Legal Department that said proposed agreement is not enforceable by the City of San Jose inasmuch as the covenants that may be agreed upon by the City of Alviso are restrictive of its police power. Councilman Santora proposes and moves adoption of resolution that said Resolution No. 10086 be adopted, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Vacation
City Clerk

Dorothy Covill, City Clerk, reports that she is entitled to a balance of five days leave of absence with full pay for the purpose of completing annual vacation as permitted by Section 22 of Ordinance No. 3100, adopted October 1, 1945, but that because of the volume of work she may not be able to take said vacation before December 31, 1953, and in such event, requests approval of regular vacation pay in addition to regular pay during said five days in lieu of actual vacation, as permitted by Section 23 of Ordinance No. 3100. Councilman Doerr proposes and moves adoption of resolution that said request be granted and the City Clerk in her discretion be allowed five days vacation before December 31, 1953, and that if the volume of work requires that she work during said five days vacation that she be paid therefor in addition to her regular pay, seconded by Councilman

Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Adjourn

Councilman Doerr proposes and moves adoption of resolution
that the Council adjourn, to meet again in regular session at 8:00
o'clock P.M., December 21, 1953, seconded by Councilman Watson and
adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Adjourn

Council now adjourns at 5:50 o'clock P.M.

Parker L. Hathaway

PARKER L. HATHAWAY
Mayor

Dorothy Covill
ATTEST: DOROTHY COVILL
City Clerk

Mailed 7-9-57

Monday

San Jose, California

December 21, 1953

The Council of the City of San Jose convenes this day in regular session at 8:00 o'clock P.M., pursuant to adjournment.

Roll Call

Present: Councilmen - Foley, Santora, Solari, Watson and Hathaway.

Absent: Councilmen - Doerr and Starbird.

Invocation

Invocation is given by Reverend Harold E. Ring.

Minutes

The Minutes of regular session of August 31, 1953, having been read by each Councilman, Councilman Watson proposes and moves adoption of resolution that said Minutes be approved as heretofore read, and that consideration of the Minutes of regular sessions of September 8, 14, 21, 23, 28, October 5, 13, 14, 26, 28, November 2, 9, 16, 18, 23, December 7, 14, and 17, 1953, and special session of November 27, 1953, be deferred, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Foley, Santora, Solari, Watson and Hathaway.

Noes: Councilmen - None.

Absent: Councilmen - Doerr and Starbird.

Councilman Starbird Enters

Councilman Starbird now enters and is seated.

Monterey Park No. 4 Annexation Hearing

This being the time and place fixed by Resolution No. 10057, adopted November 9, 1953, for public hearing on the proposed annexation of certain uninhabited territory designated as Monterey Park No. 4, City Clerk presents and files protest to said proposed annexation of Edwin Pohle and Beatrice Pohle, President and Secretary-Treasurer, respectively of the Southern Lumber Company. Fred A. Wool, Attorney at Law, appears in support of said protest and presents and files copy of Alternate Writ Of Mandamus (No. 89389) and Order For Alternative Writ Of Mandamus (No. 89389) issued by the Superior Court of the State of California in and for the County of Santa Clara, entitled: "R. M. Peart and Margaret Peart, and Alfred Anderson, Petitioners, vs. The Board of Supervisors of the County of Santa Clara, State of California; and A. W. Brown, Sam P. Della Maggiore, Ed R. Levin, J. M. McKinnon, and Walter S. Gaspar, as members of the Board of Supervisors of the County of Santa Clara, State of California, Respondents", together with a copy of the petition for Writ of Mandamus in said proceeding. General

discussion is had with Fred A. Wool, Attorney at Law, Edwin Pohle, protestant, A. F. Hamann, City Manager, and others participating. Robert J. Costello, Second Assistant City Attorney, requests that said public hearing be continued to December 28, 1953. Councilman Santora proposes and moves adoption of resolution that said public hearing on the proposed annexation of certain uninhabited territory designated as Monterey Park No. 4 be continued to 8:00 o'clock P.M., December 28, 1953, seconded by Councilman Starbird and adopted:

Ayes: Councilmen - Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

Charleston Way
Assessment Rates
Hearing

This being the time and place fixed for hearing protests to the diagram, assessment and schedule of assessment rates heretofore prepared and filed on December 7, 1953, by H. J. Flannery, City Engineer, on the improvement of Charleston Way, from Prevost Street to the easterly terminus of Charleston Way, City Clerk advises that no protests have been filed. No person is present desirous of being heard. Councilman Starbird proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

Charleston Way
Resolution No. 10087
Approving &
Confirming

Resolution No. 10087, approving and confirming assessment and ordering warrant, is read and, upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

Ayes: Councilmen - Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

18th St.
Assessment Rates
Hearing

This being the time and place fixed for hearing protests to the diagram, assessment and schedule of assessment rates heretofore prepared and filed on December 7, 1953, by H. J. Flannery, City Engineer, on the improvement of 18th Street between Empire Street and Jackson Street, City Clerk advises that no protests have been filed. No person is present desirous of being heard. Councilman Watson proposes and moves adoption of resolution that said hearing be closed, seconded by

Councilman Santora and adopted:

Ayes: Councilmen - Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

18th St.
Resolution No. 10088
Approving &
Confirming

Resolution No. 10088, approving and confirming assessment
and ordering warrant, is read and, upon motion of Councilman Watson,
seconded by Councilman Santora, adopted:

Ayes: Councilmen - Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

Pool & Billiard Room
389 S. 1st St.
Hearing

This being the time and place fixed for public hearing on
application of Arthur Budros, Spero Budros and James Budros for a permit
to maintain a public pool and billiard room at 389 S. 1st Street, Clerk
advises that no written protest to the granting of said application has
been filed. No person is present desirous of filing protest to the
granting of said application. Councilman Watson proposes and moves
adoption of resolution that said hearing be closed, seconded by Council-
man Solari and adopted:

Ayes: Councilmen - Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

Pool & Billiard Room
389 S. 1st St.
Permit Granted

Councilman Watson proposes and moves adoption of resolution
that Arthur Budros, Spero Budros and James Budros be granted a permit to
maintain a public pool & billiard room at 389 S. 1st Street, seconded
by Councilman Solari and adopted:

Ayes: Councilmen - Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

Annexation
Maypark No. 2
(Uninhabited)

Petition of the Board of Education of the San Jose Unified
School District, dated December 17, 1953, requesting that pursuant to
the provisions of the "Annexation of Uninhabited Territory Act of 1939",
certain uninhabited territory described therein be annexed to the City
of San Jose, is presented. A. P. Hamann, City Manager, recommends, and
Councilman Santora proposes and moves adoption of resolution that con-
sideration of said petition be deferred to December 28, 1953, seconded
by Councilman Solari and adopted:

Ayes: Councilmen - Foley, Santora, Sclari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

The Alameda
Stockton Ave.-
N. City Limits
Improvement

Communication from J. L. Pace, M.D., President, The Alameda Association, dated December 17, 1953, relative to the lighting, zoning, and signalization of The Alameda from Stockton Avenue to the North City Limits, is presented and filed. H. J. Flannery, City Engineer, reports that the petition of property owners or agents for property owners fronting on The Alameda from Stockton Avenue to the North City Limits, as presented on February 2, 1953, contains 55.73% of signatures of said property owners or agents of property owners.

Proposed Holiday
Benefits

John E. Thorne, Attorney at Law, appearing on behalf of the San Jose Firefighters Local 873, renews request presented December 7th and 14th, 1953, that an ordinance be adopted providing that all City employees have a minimum of 11 paid holidays per year. A. P. Hamann, City Manager, advises on the approximate cost of said proposal. General discussion is had. Councilman Watson proposes and moves adoption of resolution that the City Attorney be directed to prepare and submit to the Committee of the Whole on January 6, 1954, a proposed ordinance providing that all City employees receive a minimum of 11 paid holidays per year, seconded by Councilman Santora and not adopted:

Ayes: Councilmen - Foley, Santora and Watson.
Noes: Councilmen - Sclari, Starbird and Hathaway.
Absent: Councilmen - Doerr.

Proposed Holiday
Benefits

Mayor Hathaway announces that the Council will discuss the proposal that all City employees receive a minimum of 11 paid holidays at its Committee of the Whole meeting on January 6, 1954.

Public Alleys
Close & Abandon

Petition of Barron-Gray Packing Company-Division of Hawaiian Pineapple Company, Limited, dated December 17, 1953, that an unnamed public alley running between Virginia and Martha Streets parallel with and easterly of 3rd Street, and an unnamed public alley running between Virginia and Martha Streets parallel with and westerly of 5th Street, be closed and abandoned, all as described therein and shown on map attached, is presented. Councilman Starbird proposes and moves adoption of resolution that said petition be referred to the City Engineer and the City

Planning Commission for consideration and report, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

Ordinance No. 4287
Annexing S.W.G. No. 18
(Uninhabited)

Ordinance No. 4287, entitled: "An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain Uninhabited Territory Designated As 'South Willow Glen No. 18' And Herein Described, And Herein Annexing Said Territory To Said City Of San Jose", passed to print December 14, 1953, is given final reading and upon motion of Councilman Starbird, seconded by Councilman Foley, adopted:

Ayes: Councilmen - Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

Ordinance No. 4288
Salary - 5th Step

Ordinance No. 4288, entitled: "Ordinance Of The City Of San Jose Amending Section 6 Of Ordinance No. 4000, Entitled: 'An Ordinance Fixing And Defining The Salary Ranges For Classes Of Offices And Positions Of Employment In The City Government Of The City Of San Jose, Effective On And After January 1, 1952, And Repealing Conflicting Ordinances,' By Providing For Automatic Salary Increases Upon Expiration Of Specified Periods Of Service Except Where Employees' Work Is Unsatisfactory", passed to print December 14, 1953, is given final reading and upon motion of Councilman Santora, seconded by Councilman Foley, adopted:

Ayes: Councilmen - Foley, Santora, Solari,
Watson and Hathaway.
Noes: Councilmen - Starbird.
Absent: Councilmen - Doerr.

Ordinance No. 4289
Purchase Property
212 Almaden Ave.
(Off-St. Parking)

Ordinance No. 4289, entitled: "An Ordinance Authorizing The City Manager And City Attorney To Purchase For Municipal Purposes, A Certain Parcel Of Real Property From Emma S. Schmid, Helen Prentis And Anetta Arnston; To Deposit In Escrow And Pay The Purchase Price Of Said Parcel And To Pay Necessary Recording, Stamp Tax, Escrow, Title Search And Other Fees And Expenses Necessarily Incurred In Connection With Said Purchase; And Appropriating The Sum Of Twelve Thousand Two Hundred Fifty (\$12,250.00) Dollars From The Public Improvement Fund For Said Purchase", passed to print December 14, 1953, is given final reading and upon

motion of Councilman Starbird, seconded by Councilman Santora, adopted:

Ayes: Councilmen - Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

Ordinance No. 4290
Appropriation For
Underground Ducts
In Alum Rock Park

Ordinance No. 4290, entitled: "An Ordinance Of The City Of
San Jose Appropriating Three Thousand And No/100 Dollars (\$3,000.00)
From The General Fund, Unappropriated Surplus To The Public Works
Department Outlay Account No. 8-3251 For The Installation Of A Duct
For Underground Power Lines At Alum Rock Park", passed to print Decem-
ber 14, 1953, is given final reading and upon motion of Councilman
Starbird, seconded by Councilman Santora, adopted:

Ayes: Councilmen - Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

Ordinance No. 4291
Membership
Public Welfare
Solicitation Com.

Ordinance No. 4291, entitled: "An Ordinance Of The City Of
San Jose Amending Topic 1 Of Part 3 Of Chapter 2 Of Article II Of The
San Jose Municipal Code By Adding Thereto A New Section Number 2230.2
Providing For The automatic Termination Of The Term Of Office Of A
Member Of The Public Welfare Solicitation Commission Upon His Failure
To Attend Three Consecutive Meetings Of Such Commission, And Providing
For The Filling Of Vacancies In Such Commission By The City Manager",
passed to print December 14, 1953, is given final reading and upon
motion of Councilman Starbird, seconded by Councilman Santora, adopted:

Ayes: Councilmen - Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

Four-Way Stop Signs
Dana & Shasta Aves.

Report of A. B. Philpott, Traffic Analyst, on petition of
Vernon R. Caldwell, filed December 7, 1953, requesting installation
of four-way stop signs at Dana and Shasta Avenues, and recommending
that said request be not granted, is presented by the City Manager.
General discussion is had and the City Manager advises that he does not
approve said recommendation of the Traffic Analyst, and recommends
approval of said stop signs. Councilman Watson proposes and moves
adoption of resolution that four-way stop signs be installed at the
intersection of Dana and Shasta Avenues, seconded by Councilman
Starbird and adopted:

Ordinance No. 4276
Rezoning The Alameda

Ayes: Councilmen - Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

Council now considers the proposed rezoning of portions of real property fronting on The Alameda between Magnolia Avenue - Pershing Avenue and the north City Limits, having varying depths, from R-3 Residence District and C Commercial District (Professional-Office) to C-L Commercial District (Limited), as deferred from December 7, 1953. General discussion is had with Marshall S. Hall, Attorney at Law, appearing on behalf of The Alameda Association, and J. L. Pace, M.D., President of said association. Ordinance No. 4276, entitled: "An Ordinance Amending The San Jose Municipal Code By Adding A New Section Thereto To Be Numbered 9102.44z8, Relating To Zoning", is read and upon motion of Councilman Starbird, seconded by Councilman Santora, passed to print:

Ayes: Councilmen - Santora, Solari, Starbird, Watson
and Hathaway.
Having expressed his opinion that he is disqualified with reference to said question:
Not Voting: Councilmen - Foley.
Noes: Councilmen - None.
Absent: Councilmen - Doerr.

Councilman Doerr
Enters

Ordinance No. 4292
3 Weeks Vacation
After 5 Years
Service

Councilman Doerr now enters and is seated.

Council now considers proposal that City employees, having five years of service, be allowed three weeks vacation, as deferred from December 14, 1953. A. P. Hamann, City Manager presents and files report of the City Attorney on the proposed amendment to Ordinance No. 3100, adopted October 1, 1945, and advises of the estimated cost if said proposal is adopted. Councilman Starbird suggests that said proposal be referred to the Committee of the Whole for consideration on January 6, 1954. General discussion is had with John E. Thorne, Attorney at Law, participating. Ordinance No. 4292, entitled: "An Ordinance Of The City Of San Jose Amending Ordinance No. 3100, Entitled: 'An Ordinance Fixing The Compensation, Hours, Discipline And Leaves Of Absence Of Certain Officers And Employees Of The City Of San Jose; Providing For The Transfer To, And Change In Title Of Certain

Designated Positions; Making Certain Provisions Retroactive To And Including August 1, 1945, And Repealing Conflicting Ordinances', Adopted October 1, 1945, By Amending Sections 22, 24 And 25 Thereof, And Adding Thereto New Sections To Be Designated Sections 24A, 24B, 24C, 24D and 24E, is read and upon motion of Councilman Santora, seconded by Councilman Watson, passed to print:

Ayes: Councilmen - Doerr, Foley, Santora, Watson and Hathaway.
Noes: Councilmen - Solari and Starbird.
Absent: Councilmen - None.

Complaint
Parking Adjacent
To Subway
(398 Willow St.)

Council now considers report of the Traffic Analyst presented December 7, 1953, on complaint presented November 23, 1953, by Mrs. Sebastian Nazzisi of the hazardous condition in front of her home at 398 Willow Street caused by vehicular parking adjacent to her driveway, and requesting that parking be prohibited at the approach of the Willow Street Subway. General discussion is had relative to severance damages, if any, which may have been paid at said location when the subway was constructed. Councilman Doerr suggests, and by unanimous consent, consideration of said complaint and report is deferred to December 28, 1953.

Invite Bids
Duplicating
Machine

Council now considers request of the City Manager presented December 14, 1953, for permission to invite bids for the purchase of one offset duplicating machine. A. P. Hamann, City Manager reports on the need for said equipment. Councilman Santora proposes and moves adoption of resolution that the City Manager be authorized to invite bids for furnishing one offset duplicating machine, seconded by Councilman Solari and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Proposed Locations
Fire Stations

Report and recommendation of the City Planning Commission on proposed Fire Stations locations, as part of the Master Plan for San Jose, is presented. Councilman Santora proposes and moves adoption of resolution that said report and recommendation be referred to the Committee of the Whole for consideration and report, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Sign Over Plan Line
14 Almaden Ave.

Recommendation of the City Planning Commission, by authority of Section 8612.1 of the San Jose Municipal Code, that the House of Rols be permitted to erect a neon sign at 14 Almaden Avenue, extending 16' beyond the Official Plan Line, is read. Councilman Santora proposes and moves adoption of resolution that said recommendation be approved and a revocable permit be granted pursuant to Section 8621 of the San Jose Municipal Code, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Side Yard Adjustment
District Line
Extension
1634 The Alameda

Resolution of the City Planning Commission, by authority of Article IX, Chapter 1, Part 7 of the San Jose Municipal Code, extending R-3 Residence District Line from a depth of 200' to a depth of 300' at 1634 The Alameda, and granting a side yard adjustment to 4' for NE portion of said property, is read. Councilman Santora proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Starbird and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Proposed Rezoning
E. Side N. 4th St.
N. of Gish Rd.

Report and recommendation of the City Planning Commission, pursuant to Section 9112.1(b) of the San Jose Municipal Code, that certain real property on the easterly side of N. 4th Street northerly of Gish Road, having a varying depth, be rezoned from R-2 Residence District to M-1 Manufacturing District, is presented. Councilman Starbird proposes and moves adoption of resolution that 8:00 o'clock P.M. January 16, 1954, Council Chambers, City Hall be fixed as the time and place for the purpose of considering and discussing said proposed rezoning, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Rear Yard Use
Swimming Pool
2058 Emory St.

Resolution of the City Planning Commission, pursuant to Article IX, Chapter 1, Part 7, San Jose Municipal Code, granting permit to construct a cabana and swimming pool (12' x 28') in the required rear yard space of 20' at 2058 Emory Street, in accordance with plot plan on file in the Department of Building, is presented. Councilman Watson proposes and moves adoption of resolution that consideration of said resolution be deferred to December 28, 1953, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Recreation Dept.
Salary & Classification

Communication from the Recreation Commission, dated December 18, 1953, urging the immediate and continued consideration of the problem of low salaries paid the Recreation Department employees and the adoption of the Classification and Pay Plan submitted by the State Personnel Board, is read. By unanimous consent, said request is referred to the Committee of the Whole for consideration and report.

Proposed Salary
Electricians

Councilman Starbird, Chairman of the Committee on Finance, presents and files report dated December 16, 1953, from the State Personnel Board regarding salary range recommended by it for city electricians, and proposes and moves adoption of resolution that said report be referred to the Committee of the Whole for consideration and report, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Mid-Block
Crosswalks

Report of A. B. Philpott, Traffic Analyst, dated November 18, 1953, on the use of mid-block crosswalks in the Central Business District, and communication from the Santa Clara County Chapter of the National Safety Council advising of its unanimous approval of the elimination of mid-block crosswalks, are read. Councilman Doerr proposes and moves adoption of resolution that said report of the Traffic Analyst be accepted and that no additional mid-block crosswalks be installed until a definite policy is determined, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Payment Due

Certificate of H. J. Flannery, City Engineer, approved by A. P. Hamann, City Manager, that there is due and payable to A. J. Raisch Paving Company on contract for the improvement of a portion of Leigh Avenue, all in or adjacent to Dry Creek Heights, Unit #1, Tract #1162, a final payment of \$1,339.66, is read. Councilman Watson proposes and moves adoption of resolution that said payment be authorized seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Proposed Fence
Coyote Creek
Opposite
314 S. 17th St.

H. J. Flannery, City Engineer, presents and files report on request of Marion Moreland and others that a fence be constructed on city-owned land located on the Coyote Creek opposite 314 S. 17th Street, filed December 14, 1953, advising that said property is not owned by the City of San Jose and that the complainants have been so advised. By unanimous consent, said report is accepted and filed:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Resolution No. 10089
Water From
American River
Application Deferred

Resolution No. 10089 authorizing and directing the City Manager to request continuance of time in the matter of applying for water from the American River project at Folsom Dam, is presented by the City Manager and upon motion of Councilman Starbird, seconded by Councilman Watson, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Recess

Councilman Starbird proposes and moves adoption of resolution that the Council recess to meet as a Committee of the Whole and to reconvene at the call of the Mayor, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Recess The Council now recesses at 10:45 o'clock P.M.
Reconvene The Council now reconvenes at 11:13 o'clock P.M. and the Clerk

calls the roll:

Roll Call Present: Councilmen - Doerr, Foley, Starbird, Watson
and Hathaway.
Absent: Councilmen - Santora and Solari.

Lease of Airport Lands Assignment to Machese Farms Leopold Diel, Second Assistant City Attorney, presents request dated December 21, 1953 of assignment by Harry R. Davis of lease awarded December 14, 1953 for airport agricultural lands, to the Marchese Farms, Councilman Starbird proposes and moves adoption of resolution that said assignment of lease be approved, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Starbird, Watson
and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora and Solari.

Resolution No. 10090 Release of Bonds Used Auto Dealer Resolution No. 10090 authorizing the City Treasurer to execute an assignment of rights of the City in two registered U.S. Treasury Bonds of 1951-53, numbered 4704 and 4705 in amount of \$500.00 each, inscribed to Louis O. Normandin, heretofore filed pursuant to 6503.7 of the San Jose Municipal Code and not now required because of other compliance with said Code section, is presented by the Second Assistant City Attorney and upon motion of Councilman Starbird, seconded by Councilman Foley, adopted:

Ayes: Councilmen - Doerr, Foley, Starbird, Watson
and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora and Solari.

Resolution No. 10091 Agreement Walk-Wait Signals Resolution No. 10091 approving and authorizing agreement with the State Department of Public Works governing installation and maintenance of certain walk-wait traffic signals at 1st and Santa Clara Streets is presented by the Second Assistant City Attorney and upon motion of Councilman Starbird, seconded by Councilman Foley, adopted:

Ayes: Councilmen - Doerr, Foley, Starbird, Watson
and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora and Solari.

Purchase Property Tax Delinquent N. 19th St. S. of St. James St. A. P. Hamann, City Manager, presents notice of the Board of Supervisors of Santa Clara County of its intention to sell certain tax

delinquent property located on the W. side of N. 19th Street, 137.50' S. of St. James Street with 50' frontage on N. 19th Street and having a depth of 125.36', and requests reconsideration of the acquisition of said property. General discussion is had. Councilman Starbird proposes and moves adoption of resolution that resolution adopted on November 23, 1953, that said property be not acquired by the City, be rescinded, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Starbird, Watson and Hathaway.
Noes: Councilmen - Foley.
Absent: Councilmen - Santora and Solari.

Resolution No. 10092
Purchase
Tax Delinquent Lot
N. 19th St.

Resolution No. 10092 objecting to the sale of certain tax-deeded property by the County Tax Collector located on the W. side of 19th Street south of St. James Street and authorizing the City Manager to purchase said property for a price not to exceed \$499.00, is presented and upon motion of Councilman Starbird, seconded by Councilman Doerr, adopted:

Ayes: Councilmen - Doerr, Starbird, Watson and Hathaway.
Noes: Councilmen - Foley.
Absent: Councilmen - Santora and Solari.

Alcoholic Beverage
Control Act

Notifications of liquor license applications filed with the State Board of Equalization are presented and by unanimous consent, filed.

Monthly Reports

Report of the City Auditor for November, 1953, is presented and filed.

Merry Christmas

Councilman Watson extends wishes for a Merry Christmas to the officers and employees and the people of the City of San Jose.

Adjourn

Councilman Watson proposes and moves adoption of resolution that the Council adjourn, seconded by Councilman Doerr and adopted:

Ayes: Councilmen - Doerr, Foley, Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora and Solari.

Adjourn

Council now adjourns at 11:25 o'clock P.M.

Dorothy Covill
ATTEST: DOROTHY COVILL
City Clerk

Parker L. Hathaway
PARKER L. HATHAWAY
Mayor

Mailed 7-16-54

Monday San Jose, California December 28, 1953

The Council of the City of San Jose convenes this day in regular session at 8:00 o'clock P.M., pursuant to adjournment.

Roll Call Present: Councilmen - Doerr, Foley, Santora, Solari, Starbird Watson and Hathaway. Absent: Councilmen - None.

Invocation Invocation is given by Reverend Harold E. Ring.

Minutes Councilman Starbird proposes and moves adoption of resolution that consideration of the Minutes of regular sessions of September 8, 14, 21, 23, 28, October 5, 13, 14, 26, 28, November 2, 9, 16, 18, 23, December 7, 14, 17 and 21, 1953 and special session of November 27, 1953, be deferred, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird, Watson and Hathaway. Noes: Councilmen - None. Absent: Councilmen - None.

Bid 3-Wheel Motorcycles Clerk reports receipt of one sealed proposal or bid for five 3-wheel motorcycles for the Police Department. Councilman Starbird proposes and moves adoption of resolution that said sealed proposal or bid be opened, seconded by Councilman Santora, and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird, Watson and Hathaway. Noes: Councilmen - None. Absent: Councilmen - None.

Bid Clerk now opens said sealed proposal or bid.

Items Bidder San Arena Price \$ Cts.

1 1954 3-wheel police motorcycle, per specifications, at a total price of ----- 2,019.78 *

4 1954 3-wheel police motorcycles, per specifications, at a total price of ----- 6,139.04

LESS trade-in allowance for 4 3-wheel Harley-Davidson Motorcycles, one 1949-model No. 18, one 1949-model No. 19, one 1946-model No. 20, and one 1949-model No. 22 ----- \$1,250.00

Total Net Price----- 6,908.82*

PLUS STATE SALES TAX

*Bid not in conformity with "Notice to Bidders".

Guarantee: Cashier's check #1583864 (90-85) in amount of \$690.88.

Bid 3-Wheel Motorcycles Councilman Starbird proposes and moves adoption of resolution that said sealed proposal or bid be referred to the Purchasing Agent for

consideration and report, seconded by Councilman Santora, and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Bids
Fire Hose

Clerk reports receipt of two sealed proposals or bids for furnishing 5000 feet 2½ inch Fire Hose and 2000 feet 1½ inch Fire Hose to the City of San Jose. Councilman Starbird proposes and moves adoption of resolution that said sealed proposals or bids be opened, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Bids

Clerk now opens said sealed proposals or bids.

Items	Bidders	
	The American Rubber Manufacturing Company Price \$ Cts.	Pioneer Rubber Mills Price \$ Cts.
5000 ft. 2½ inch Fire Hose, in 50 ft. lengths, with expansion ring couplings, complete, per foot	1.48	1.147*
2000 ft. 1½ inch Fire Hose, in 50 ft. lengths, with expansion ring couplings, complete, per foot	0.94	0.697*

PLUS STATE SALES TAX

*Alternate specifications provided

Guarantee: The American Rubber Manufacturing Company - Certified #5562183 check #1027 (90-1208) in amount of \$1,000; Pioneer Rubber Mills - Certified #37296 check #11650 (11-1-1210) in amount of \$712.90.

Bids
Fire Hose

Councilman Santora proposes and moves adoption of resolution that said proposals or bids be referred to the Purchasing Agent and Fire Chief for consideration and report, seconded by Councilman Foley, and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Willis Ave.
Home To Jerome Sts.
Diagram & Assessment
Hearing

This being the time and place fixed for hearing protests to the diagram, assessment and schedule of assessment rates heretofore prepared and filed on December 7, 1953 by H. J. Lannery, City Engineer, on the improvement of portions of Willis Avenue from Home Street to Jerome Street, City Clerk advises that no protests have been filed. No person is present

desirous of being heard. Councilman Foley proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Resolution No. 10093
Willis Ave.
Approving & Confirm-
ing Assessment

Resolution No. 10093, approving and confirming assessment and ordering warrant, is read and, upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Proposed Rezoning
SW Cor. Meridian Rd.
& Park Ave.

This being the time and place fixed for public hearing for the purpose of considering and discussing the proposed rezoning from R-3 Residence District all or a part of the real property located on the SW corner of Meridian Road and Park Avenue, to C Commercial District, Clerk (Professional-Office) reports that no protests to said proposed rezoning have been filed. No person is present desirous of being heard. Councilman Watson proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Solari, and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Ordinance No. 4293
Zoning SW Corner
Meridian Rd. &
Park Ave.

Ordinance No. 4293, entitled: "An Ordinance Amending The San Jose Municipal Code by Adding A New Section Thereto To Be Numbered 9102.44z9, Relating To Zoning", is read and upon motion of Councilman Starbird, seconded by Councilman Watson, passed to print:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

El Arroyo No. 3
Final Zoning
Hearing

This being the time and place designated for the purpose of considering and discussing the final report of the City Planning Commission of the zoning of the annexed area known as "El Arroyo No. 3", no person is present desirous of being heard. Councilman Starbird proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Ordinance No. 4294
Zoning
El Arroyo No. 3

Ordinance No. 4294, entitled: "An Ordinance Amending Article IX,
(Zoning) Chapter 1 Of The San Jose Municipal Code, By Adding Thereto A New
Section, To Be Designated 9102.24z8", is read and upon motion of Councilman
Watson, seconded by Councilman Santora, passed to print:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Public Card Room
47 Post St.
Hearing

This being the time and place fixed for public hearing on appli-
cation of Louis Harris for a permit to operate and maintain a public card
room at 47 Post Street, Clerk advises that no written protest to said
application has been filed. No person is present desirous of being heard.
Councilman Watson proposes and moves adoption of resolution that said hear-
ing be closed, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Public Card Room
47 Post St.
Permit

Councilman Watson proposes and moves adoption of resolution that
permit be granted to Louis Harris to operate and maintain a public card
room at 47 Post Street, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Julian St.
No Parking During
Certain Hours

This being the time and place fixed on December 14, 1953, for
hearing protests to the recommendation of the Traffic Analyst that parking
be prohibited on the N. side of Julian Street, between 4th Street and San
Pedro Street from 7:00 o'clock to 9:00 o'clock A.M. and from 4:00 o'clock
to 6:00 o'clock P.M., Sundays and holidays excepted, and on the S. side of
said street from 4:00 o'clock to 6:00 o'clock P.M., Sundays and holidays
excepted, Clerk reports that no protests have been received. No person
is present desirous of being heard. Councilman Starbird proposes and moves
adoption of resolution that said hearing be closed, seconded by Councilman
Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Julian St.
No Parking During
Certain Hours

Councilman Starbird proposes and moves adoption of resolution that recommendation of the Traffic Analyst that parking be prohibited on the N. side of Julian Street, between 4th Street and San Pedro Street from 7:00 o'clock to 9:00 o'clock A.M. and from 4:00 o'clock to 6:00 o'clock P.M., excepting Sundays and holidays, and on the S. side of said street from 4:00 o'clock to 6:00 o'clock P.M., excepting Sundays and holidays, be approved, seconded by Councilman Santora and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Monterey Park No. 4
Annexation Hearing

This being the time and place fixed by Resolution No. 10057, adopted November 9, 1953, and as continued from December 21, 1953, for public hearing on the proposed annexation of certain uninhabited territory designated as Monterey Park No. 4, Fred A. Wool, Attorney at Law, appearing on behalf of the Southern Lumber Company, protestant, urges that said annexation proceedings be discontinued for the reason that the Council does not have jurisdiction in said matter because of the Writ of Mandate, heretofore issued by the Superior Court of the County of Santa Clara, on December 21, 1953. Ferdinand P. Palla, Assistant City Attorney, recommends that the Council proceed with said hearing and make its findings and that this hearing be not continued beyond this date. Harold Seyferth, Associate Planner, is sworn and presents and files Certificate of Pearce Davies, dated December 21, 1953, relative to the number of registered voters residing within the territory designated as Monterey Park No. 4; Certificate of Pearce Davies, dated December 21, 1953, relative to the list of assessment numbers, owners, descriptions and values of all the parcels of real property within said territory designated as Monterey Park No. 4, as shown on the last equalized assessment roll of the County of Santa Clara; and copies of Pages 85 and 86 for Code Area 66-8 of the last equalized assessment roll of the County of Santa Clara, certified as correct copies of such pages by Roy Emerson, Tax Collector of the County of Santa Clara. Harold Seyferth, Associate Planner, having heretofore been sworn, testifies that from his

own personal knowledge he knows that there were less than 12 people living within said territory on the date the petition for annexation was filed; admits that he did not check the records of the Registrar of Voters of Santa Clara County, and that he does not know the number of registered voters within said territory; that he does not know who established the boundaries of said territory, nor why the Southern Lumber Company property was included; and upon further questioning testifies that of his own knowledge less than 12 people live within said territory and that there are no houses or other structures within said territory of a nature commonly used by humans for habitation. Ferdinand P. Palla, Assistant City Attorney, is sworn and upon being questioned by Fred A. Wool, Attorney at Law, testifies that he does not recall who prepared the petition for annexation but that the Legal Department may possibly have prepared the form; that, upon direction, he, Alfred Mainero and Irving Ryder checked and drew up the legal description of the boundaries of said territory but did not determine where said boundaries should be but that Pearce Davies, Associate Planner, might have such knowledge; and gave some of the reasons why, in his opinion, it might be considered unwise to annex the property of the Mayfair Packing Company without also annexing the property of the protestant, Southern Lumber Company. Fred A. Wool, Attorney at Law, calls Pearce Davies, Associate Planner, and is advised that he is on vacation, whereupon, he requests that said hearing be continued for the purpose of questioning Pearce Davies. Councilman Starbird proposes and moves adoption of resolution that said public hearing be closed, seconded by Councilman Doerr, and adopted:

Ayes: Councilmen - Doerr, Foley, Santora, Solari, Starbird,
Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Resolution No. 10094
Monterey Park No. 4
Determination of
Protests

Resolution No. 10094, entitled: "Resolution Of
The Council Of The City Of San Jose Finding And Determining That Protest
To The Proposed Annexation To The City Of San Jose Of Certain Uninhabited
Territory Designated 'Monterey Park No. 4' Has Not Been Made By Owners
Of One-Half Of The Value Of Such Territory As Shown By The Last Equalized
Assessment Roll, Nor By Public And Private Owners Equal To One-Half Of The