

COUNCIL MINUTES

30

MARCH 1, 1954 - MARCH 29, 1954

Hotel and urges all members of the Council to attend.

Boise Pilots
Use of Municipal
Stadium

Communication from the Boise Pilots regarding use of the San Jose Municipal Stadium during the 1954 spring training season, is read by the City Manager. Councilman Santora proposes and moves adoption of resolution that said request be referred to the City Manager and the City Engineer to work out details on said rental, seconded by Councilman Starbird and adopted:

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

Compromise Claim
Donaldson vs. City

Robert E. Cassin, City Attorney, recommends and Councilman Watson proposes and moves adoption of resolution that the cross-complaint in amount of \$145.26 filed by the City in the case of Margaret C. Donaldson, Plaintiff, vs. City of San Jose, Defendant, be dropped in return for the Plaintiff dropping complaint in amount of \$705.46, seconded by Councilman Santora, and adopted:

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

Ordinance No. 4336
Exchange of Property
Arden D. Zimmerman

Ordinance No. 4336, entitled: "An Ordinance Authorizing The Mayor And City Manager To Enter Into An Agreement of Exchange Of Certain Properties Owned By The City Of San Jose And Arden D. Zimmerman For Municipal Purposes; Setting Forth The Terms Of Said Agreement, And Appropriating The Sum Of Sixteen Thousand Three Hundred Dollars (\$16,300.00) From The 1952 Bridge And Street Bond Fund For Said Purposes", is presented by the City Attorney and upon motion of Councilman Starbird, seconded by Councilman Solari, passed to print:

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

Resolution No. 10178
Accepting Patent
License Agreement
Westinghouse Electric
Corp.

Resolution No. 10178 accepting the Westinghouse Electric Corporation Patent License Agreement for the supply of Westinghouse Mercury Luminaires, Westinghouse Ballast, and Octoflute Monotube steel standard with transformer base in connection with the improvement of Lincoln Avenue between Minnesota and Coe Avenues, is presented by the

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.

Resolution No. 10179
Accepting License
Agreement
Line Material Co.

Resolution No. 10179 accepting the Line Material Co. Patent License Agreement for the supply of ovalites and ballasts in connection with the improvement of Lincoln Avenue between Minnesota and Coe Avenues, is presented by the City Attorney 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.

Propose Ordinance
Salary Increases
Automatic

Proposed Ordinance, entitled: "An Ordinance Of The City Of San Jose Repealing Section 3 And Amending Sections 4, 6 And 7 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', To Provide For Automatic Salary Increases For City Employees Upon Completion Of Specified Periods Of Employment, And To Clarify Other Related Matters", is presented by the City Attorney. Councilman Starbird proposes and moves adoption of resolution that consideration of said proposed ordinance be deferred to March 8, 1954, seconded by Councilman Watson and adopted:

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

Proposed Ordinance
Holiday Benefits
Police & Fire Depts.

Proposed Ordinance, entitled: "An Ordinance Of The City Of San Jose Amending Ordinance No. 3100 Of Said City, 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', By Adding Thereto Two New Sections Providing Holiday Benefits For Certain Officers And Employees Of The

Police And Fire Departments Of Said City", is presented by the City Attorney. Councilman Santora proposes and moves adoption of resolution that consideration of said proposed ordinance be deferred to March 8, 1954, seconded by Councilman Starbird and adopted:

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

Reports

Report of the Police Department for January, 1954 is presented and filed.

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. Peters and Son, Contractor, on contract for the construction of concrete storm water sewers and appurtenances in San Jose/Sewer System, Route 5 and vicinity, a partial payment of \$20,755.54, is read. Councilman Foley 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.

Contract Bonds

Councilman Watson proposes and moves adoption of resolution that in contract with J. Lippi & Son for the installation of an irrigation well No. 9 at the San Jose Municipal Airport, the bond for faithful performance be fixed at \$800.00, and the bond of J. Lippi & Son as principal, and The Aetna Casualty & Surety Company, as surety, to the City of San Jose in the amount of \$1,600.00 securing claims of materialmen and laborers, be approved, seconded by Councilman Santora and adopted:

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

Resolution No. 10180
Hardies
Tract No. 154
Fixing Curb Grades

Resolution No. 10180 fixing official curb grades and position of curbs for Pascoe Avenue and portions of Lincoln Avenue, all in and adjacent to Hardies Tract, Tract No. 154, is presented, and upon motion of Councilman Santora, seconded by Councilman Doerr, adopted:

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

Resolution No. 10181
Cleveland Ave.
Intention
to Improve

Resolution No. 10181 declaring intention that the public interest, conveniences and necessity require, and that the Council intends to order the improvement of portion of Cleveland Avenue between the northerly property line of Forest Street and the southwesterly line of Trace Park, Tract No. 64; creating an assessment district to pay the cost and expense of said improvement, determining that serial bonds be issued to represent the costs and expenses thereof, and determining that no future compliance with the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", as amended be had, is presented and upon motion of Councilman Foley, seconded by Councilman Santora, adopted:

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

Resolution No. 10182
Mission St.
Intention to Improve

Resolution No. 10182 declaring intention that the public interest, convenience and necessity require, and that said Council intends to order the improvement of portions of Mission Street from the easterly property line of 12th Street to the westerly property line of 13th Street; creating an assessment district to pay the costs and expenses of said improvement, determining that serial bonds be issued to represent the costs and expenses thereof, and determining that no future compliance with the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", as amended be had, is presented and upon motion of Councilman Santora, seconded by Councilman Starbird, adopted:

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

Resolution No. 10183
19th St.
Adopting Plans

Resolution No. 10183 adopting plans and specifications for the improvement of portions of 19th Street from the south property line of Rosa Street to the south property line of Jackson Street, is presented 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.

Resolution No. 10184
19th St.
Preliminary
Determination

Resolution No. 10184 of preliminary determination in the matter of the improvement of portions of 19th Street from the south property

line of Rosa Street to the south property line of Jackson Street, without
compliance with the provisions of the Special Assessment Investigation/^{Limitation}
And Majority Protest Act of 1931; is presented and upon motion of Council-
man Watson, seconded by Councilman Foley, adopted:

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

Resolution No. 10185
Ford Ave.
Adopting Plans

Resolution No. 10185 adopting plans and specifications for the
improvement of Ford Avenue from the center line of Cottage Grove Avenue
to the north property line of Bellevue Avenue, is presented and upon motion
of Councilman Santora, seconded by Councilman Starbird, adopted:

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

Resolution No. 10186
Ford Ave.
Improvement
Preliminary
Determination

Resolution No. 10186 of preliminary determination in the matter
of the improvement of Ford Avenue from the center line of Cottage Grove
Avenue to the north property line of Bellevue Avenue without compliance
with the provisions of the Special Assessment Investigation, Limitation
And Majority Protest Act of 1931; is presented and upon motion of Coun-
cilman Watson, seconded by Councilman Starbird, adopted:

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

Alcoholic Beverage
Control Act

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

Consolidation of
School Board Election
With Municipal
Election

Councilman Solari proposes and moves adoption of resolution that
the Committee on Ordinance and Franchise be directed to consider with
the Board of Education of the San Jose Unified School District on the
feasibility of consolidating School District elections with the San Jose
Municipal Elections, thereby eliminating some expense, seconded by Coun-
cilman Santora and adopted:

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

Adjourn

Councilman Santora proposes and moves adoption of resolution
that the Council adjourn, 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 9:34 o'clock P.M.

PARKER L. HATHAWAY
Mayor

Parker L. Hathaway

ATTEST: *Dorothy Covill*
DOROTHY COVILL
Clerk

Mailed 2-18-54

Monday San Jose, California March 8, 1954
The Council of the City of San Jose convenes this day in regular session at 8:00 o'clock P.M.

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

Invocation Invocation is given by Reverend George R. Flora.

Minutes The Minutes of regular session of October 13, 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 October 14, 26, 28, November 2, 9, 16, 18, 23, 27, December 7, 14, 17, 21, 28, 30, 1953, January 4, 11, 18, 25, 27, February 1, 8, 15, 23 and March 1, 1954, be deferred, seconded by Councilman Santora and adopted:

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

Bids For Improving Boiler #2 (Auditorium) Clerk reports receipt of three sealed proposals or bids for the improvement of Boiler No. 2, Municipal Auditorium Heating System. Councilman Santora proposes and moves adoption of resolution that said sealed proposals or bids be opened, seconded by Councilman Solari and adopted:

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

Bids Clerk now opens said sealed proposals or bids.

Items	Bidders		
	Ocean Shore Iron Works Price \$ Cts.	P. J. Rauch Co. Price \$ Cts.	San Jose Boiler Works Price \$ Cts.
Furnishing and installation of all labor, materials and equipment according to specifications for improvement of Boiler No. 2, Serial No. 1143, San Jose Civic Auditorium, complete	2,645.00	2,275.00*	2,440.00

*Not in conformity with Notice To Bidders

Guarantee: Ocean Shore Iron Works - Bid bond of London Guarantee and Accident Company, Ltd. in amount of \$264.50; P. J. Rauch Co. - Bid bond of United Pacific Insurance Company in amount of 10% of bid; San Jose Boiler Works - certified check #1303 (90-86) in amount of \$244.00.

Councilman Starbird Enters Councilman Starbird now enters and is seated.

Bids
Boiler #2
Civic Auditorium

Councilman Watson proposes and moves adoption of resolution that said proposals or bids be referred to the City Engineer for consideration and report, seconded by Councilman Solari and adopted:

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

Bids
Bridge
Minnesota Ave.

Clerk reports receipt of thirteen sealed proposals or bids for the construction of the Minnesota Avenue Bridge across Lewis Canal. Councilman Santora proposes and moves adoption of resolution that said sealed proposals or bids be opened, seconded by Councilman Solari 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.

Bidders	Item Construction of Reinforced Concrete Bridge at Minnesota Avenue Across the Lewis Canal complete with appurtenances	Price	
		\$	Cts.
John Q. Adams Co. - Guarantee: Bid bond of Saint Paul-Mercury Indemnity Company in amount of 10%, not to exceed \$6,800.00.		67,952.00	
Alken Construction Co. - Guarantee: Bid bond of The United Pacific Insurance Company in amount of 10% of bid, not to exceed \$20,000.00		61,254.00	
James B. Allen - Guarantee: Bid bond of The United Pacific Insurance Company in amount of 10% of bid.		52,880.00	
Bos Construction Co. - Guarantee: Bid bond of The United Pacific Insurance Company in amount of 10% of bid.		66,633.00	
Bridges Construction Co. - Guarantee: Bid bond of Fire Association of Philadelphia in amount of 10% of bid.		51,944.00	
Dan Caputo Company, Inc. - Guarantee: Bid bond of The Fidelity and Casualty Company of New York in amount of 10% of bid.		52,344.00	
R. G. Clifford and C. O. Bodenhamer, co-partners - Guarantee: Bid bond of the United Pacific Insurance Company in amount of 10% of bid.		58,600.00	
Lew Jones Construction Co. - Guarantee: Bid bond of the Indemnity Insurance Company of North America in amount of 10% of bid.		50,947.00*	

Bidders	Item Construction of Reinforced Concrete Bridge at Minnesota Avenue Across the Lewis Canal complete with appurtenances Price \$ Cts.
Charles S. Moore - Guarantee: Bid bond of United States Fidelity and Guaranty Company in amount of 10% of bid.	48,114.00
C. K. Moseman - Guarantee: Bid bond of Peerless Casualty Company in amount of 10% of bid.	50,796.00*
George C. Renz Construction Company, Inc. - Guarantee: Bid bond of United Pacific Insurance Company in amount of 10% of bid.	59,997.00
San Ramon Valley Land Co. - Guarantee: Bid bond of Industrial Indemnity Company in amount of 10% of bid.	52,483.47
Carl N. Swenson Co., Inc. - Guarantee: Bid bond of Seaboard Surety Company in amount of 10% of bid.	46,569.00

*Not in conformity with Notice to Bidders.

Bids
Bridge
Minnesota Ave.

Councilman Watson proposes and moves adoption of resolution that said proposals or bids be referred to the City Engineer 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.

Lincoln Ave.
Coe to Minnesota Aves.
Hearing

This being the time and place fixed when and where any person may appear and show cause, if any they have, why Lincoln Avenue, between Coe Avenue and Minnesota Avenue, should not be improved without further compliance with the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", Clerk reports that no written protests to said proposed improvement 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.

Lincoln Ave.
Resolution No. 10187
Improve Without
Compliance

Resolution No. 10187 determining to make improvement without compliance with the "Special Assessment Investigation, Limitation and

Majority Protest Act of 1931", upon Lincoln Avenue between Coe Avenue and Minnesota Avenue, is read and upon motion of Councilman Watson, seconded by Councilman Solari, adopted:

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

Lincoln Ave.
Resolution No. 10188
Intention to Improve

Resolution No. 10188 declaring intention to order the improvement of Lincoln Avenue between Coe Avenue and Minnesota Avenue and creating an assessment district to pay the costs and expenses of said improvement, determining that serial bonds be issued to represent the costs and expenses thereof, and determining that no future compliance with the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", as amended be had, is read and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

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

Prepare Plans &
Specifications
SWG No. 20

Communication from James J. Macredes, dated March 3, 1954, requesting that the City Engineer be directed to prepare plans and specifications for the improvement of area designated South Willow Glen No. 20, prior to the annexation of and the recording of Final Map of said subdivision, and agreeing to assume the cost of any expenses incurred by the City in the preparation of said plans and specifications in the event that said subdivision is not annexed to the City, and/or said Final Map is not recorded, is presented. Councilman Starbird proposes and moves adoption of resolution that said request be granted, subject to the approval of the City Engineer, seconded by Councilman Santora and adopted:

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

Install Sewer Mains
Tract #1144
Gerhardt Subdivision

Communication from Leo W. Ruth dated March 4, 1954, on behalf of Homesite Development Company, requesting that the P. & E. Construction Company be permitted to proceed with the installation of sanitary sewer mains, laterals and appurtenances in Gerhardt Avenue and Kiner Avenue, as shown on map of Tract No. 1144, Gerhardt Subdivision, all in accordance

with plans and specifications as prepared by the City Engineer, is presented. Councilman Watson proposes and moves adoption of resolution that said request be granted, seconded by Councilman Santora and adopted:

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

Parade
Mexican Honorary Com.

Request of Alfred Lomeli on behalf of the Mexican Honorary Commission, for a permit to conduct a parade at 1:00 o'clock P.M., May 2, 1954, heretofore referred to and approved by the Chief of Police, is presented. Councilman Santora proposes and moves adoption of resolution that said permit be granted, seconded by Councilman Foley and adopted:

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

Application
Public Card Room
84-86 N. San Pedro St.

Application of Tony Ramirez and Martin Haro for a permit to operate and maintain a public card room at 84-86 N. San Pedro Street, is read and reported in proper form. Councilman Watson proposes and moves adoption of resolution that 8:00 o'clock P.M. March 22, 1954, 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, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Proclamation
Library Week

Request of Geraldine Nurney, Librarian, that March 7 to 13, 1954, be proclaimed as "Library Week" in San Jose, is presented. Councilman Watson proposes and moves adoption of resolution that said request be granted and the Mayor be authorized to so proclaim, seconded by Councilman Santora and adopted:

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

Maypark No. 1
Population

Notification from State Highway Engineer that the calculated population of inhabited annexed area, designated as Maypark No. 1, is 1,212, is presented and by unanimous consent, said notification is filed.

Class B Auctioneer
License
Heavey Terence

Application of Terence Heavey for a permit to conduct Class B auctions at 1180 Lincoln Avenue, pursuant to the provisions of Article VI, Chapter 2, Part 6 of the San Jose Municipal Code, is presented and reported in proper form. Councilman Watson proposes and moves adoption of resolution that said permit be granted, seconded by Councilman Foley and adopted:

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

Parade
Calvary Temple
Sunday School

Request of Reverend T. Kermit Jeffrey, on behalf of Calvary Temple Sunday School for a permit to conduct a parade at 2:30 o'clock P.M., March 13, 1954, heretofore referred to and approved by the Chief of Police, is presented. 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,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Central Labor Council
Resolution On Current
Unemployment

Resolution of the Central Labor Council of Santa Clara County regarding current unemployment in Santa Clara County is read. Councilman Watson proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Doerr and adopted:

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

Sewer Facilities
Richland Ave. - Almaden Rd.
S. of Husted

Leslie R. Shanrock appearing on behalf of the property owners living within the subdivision of Lincoln Glen Units 2 and 3, presents and files petition requesting that a study be made of sanitary sewer conditions for the purpose of ordering installation of sewer facilities in the area between Richland Avenue and Almaden Road, S. of Husted Avenue. Councilman Doerr proposes and moves adoption of resolution that said petition be referred to the City Engineer, seconded by Councilman Santora and adopted:

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

Pony Rides
Alum Rock Park

Communication from Mr. and Mrs. R. D. Ironberg requesting permission to operate a pony ride concession in Alum Rock Park is read.

R. D. Ironberg appears in support of said request. Councilman Santora proposes and moves adoption of resolution that said request be referred to the City Engineer and City Manager 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.

Proclamation
De Molay Week

Communication from Frank H. Moeller, requesting that March 13 through March 20, 1954 be proclaimed as "De Molay Week" in San Jose, is read. Councilman Watson proposes and moves adoption of resolution that said request be granted and the Mayor be authorized to so proclaim seconded by Councilman Santora and adopted:

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

Resolution No. 10189
Acknowledging Receipt
Notice of Intention
Annexation
Pala No. 1

Notice of Intention of proponents in territory contiguous to the City of San Jose designated as Pala No. 1 setting forth their intention to circulate a petition for the annexation of said territory to the City of San Jose; and affidavit of Alice G. Wade of the publication on March 6, 1954, in the San Jose News of said Notice of Intention, are presented and filed. Resolution No. 10189 acknowledging receipt of Notice of Intention to circulate a petition for the annexation of certain inhabited territory to the City of San Jose, being contiguous thereto and designated as Pala No. 1, and of an affidavit of publication thereof, and approving the circulation of the petition, is read and upon motion of Councilman Starbird, seconded by Councilman Solari, adopted:

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

Communist China
Admission to U.N.

Upon request of Councilman Foley the council now considers request of The Committee For One Million Against The Admission Of Communist China To The United Nations presented and filed February 23, 1954, that a proclamation be issued urging the signing of a petition in opposition to the admission of Communist China to the United Nations. Councilman Foley proposes and moves adoption of resolution that the Mayor be authorized to

issue a proclamation opposing the admission of Communist China to the United Nations, seconded by Councilman Santora and adopted:

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

Traffic Signal
10th & Julian Sts.

Councilman Starbird advises that complaints have been received as a result of the two-way stop intersection at 10th and Julian Streets, and proposes and moves adoption of resolution that the Traffic Analyst be directed to investigate and report on March 15, 1954 as to the feasibility of installing traffic signals at said intersection, seconded by Councilman Santora and adopted:

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

Ordinance No. 4330
Lease of City Owned Land
Incinerator Site

Ordinance No. 4330, entitled: "An Ordinance Leasing That Certain Parcel Of City-Owned Property Situate On The South Line Of Jackson Street And The West Line Of Coyote River And Setting Forth The Terms And Conditions Of Said Lease", passed to print February 23, 1954, is given final reading 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.

Ordinance No. 4334
Speed Zones
Stevens Creek Rd.
Moorpark Ave.

Ordinance No. 4334, entitled: "An Ordinance Of The City Of San Jose Establishing Certain Speed Limits Along Certain Streets Or Portions Thereof Below The Maximum Speed Limit Established By State Law", passed to print February 23, 1954, is given final reading and upon motion of Councilman Santora, seconded by Councilman Foley, adopted:

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

Ordinance No. 4336
Exchange of Property
Zimmerman, Arden D.

Ordinance No. 4336, entitled: "An Ordinance Authorizing The Mayor And City Manager To Enter Into An Agreement Of Exchange Of Certain Properties Owned By The City Of San Jose And Arden D. Zimmerman For Mutual Purposes; Setting Forth The Terms Of Said Agreement; And Appropriating The Sum Of Sixteen Thousand Three Hundred Dollars (\$16,300.00) From The 1952

Bridge And Street Bond Fund For Said Purposes", passed to print March 1, 1954, is given final reading and upon motion of Councilman Watson, seconded by Councilman Starbird, adopted:

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

Ordinance No. 4337
Salary Increase
Automatic

Council now considers proposed ordinance presented March 1, 1954 amending Ordinance No. 4000 relative to automatic salary increases.

Ordinance No. 4337, entitled: "An Ordinance Of The City Of San Jose Repealing Section 3 And Amending Sections 4, 6, And 7 Of Ordinance No. 4000, Entitled: 'An Ordinance Fixing And Defining The Salary Ranges For Classes Of Officers 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', To Provide For Automatic Salary Increases For City Employees Upon Completion Of Specified Periods Of Employment, And To Clarify Other Related Matters", is read and upon motion of Councilman Doerr, seconded by Councilman Santora, passed to print:

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

Ordinance No. 4338
Holiday Benefits
Police & Fire Dept.

Council now considers proposed ordinance presented March 1, 1954 amending Ordinance 3100 relative to holiday benefits for members of the Police and Fire Departments. Ordinance No. 4338, entitled: "An Ordinance Of The City Of San Jose Amending Ordinance No. 3100 Of Said City, 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', By Adding Thereto Two New Sections Providing Holiday Benefits For Certain Officers And Employees Of The Police And Fire Departments Of Said City", is read and upon motion of Councilman Doerr, seconded by Councilman Watson, passed to print:

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

District Line Extension
1267 Park Avenue

Resolution of the City Planning Commission, by authority of
Section 9107.4 of the San Jose Municipal Code, extending the R-3 Residence
District Line from a depth of 150' to a depth of 179.94' at 1267 Park
Avenue, as shown on "Map of the Chace Park Avenue Lots in the Los Coches
Rancho", filed in Book M of Maps page 81, Santa Clara County Records, is
read. Councilman Starbird proposes and moves adoption of resolution that
said resolution be approved, seconded by Councilman Santora and adopted:

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

District Line Extension
1237 & 1245 Lincoln Ave.

Resolution of the City Planning Commission, by authority of
Section 9107.4 of the San Jose Municipal Code, extending the C-2 Commercial
District Line from a depth of 150' to a depth of 565.45' at 1237 and 1245
Lincoln Avenue is read. 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,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

Rear Yard Adjustment
2028 University Drive

Resolution of the City Planning Commission, by authority of
Section 9107.1 of the San Jose Municipal Code, granting a rear yard adjust-
ment to 5' at 2028 University Drive, in accordance with plot plan on file
in the Department of Building, is read. Councilman Starbird proposes and
moves adoption of resolution that said resolution be approved, seconded
by Councilman Santora and adopted:

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

Side Yard Adjustment
161 S. 19th St.

Resolution of the City Planning Commission, by authority of
Section 9107.1 of the San Jose Municipal Code, granting a side yard adjust-
ment to 4' at 161 S. 19th Street, in accordance with plot plan on file in
the Department of Building, 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.

Linden Oaks
Subdivision
Approve Tentative
Map

Recommendation of the City Planning Commission that pursuant to Section 9224.1 to 9224.3 of the San Jose Municipal Code, tentative map for the Linden Oaks Subdivision be given unofficial approval pending annexation of the South Willow Glen No. 19 Annexation District to the City, is read. Councilman Starbird proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Santora and adopted:

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

Marquee Over
Official Plan Line
159 E. Jackson St.

Recommendation of the City Planning Commission, pursuant to Article VII, Chapter 1 of the San Jose Municipal Code, that an adjustment be granted to allow a marquee to project 6' beyond the Official Plan Line at 159 E. Jackson Street, in accordance with plot plan on file in the Department of Building, is presented. Councilman Santora proposes and moves adoption of resolution that revocable permit be granted pursuant to Article VII, Chapter 1 of the San Jose Municipal Code, seconded by Councilman Santora and adopted:

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

Sign Over Plan Line
NE Montgomery &
San Carlos Sts.

Recommendation of the City Planning Commission, pursuant to Article VIII, Sections 8612.1 and 8621 of the San Jose Municipal Code, that a permit be granted to Rundle's to erect a neon-pole sign at the NE corner of Montgomery Street and W. San Carlos Street extending 14' beyond the Official Plan Line, is read. Councilman Santora proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Watson and adopted:

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

Front Yard Adjustment
1133 Newhall St.

Resolution of the City Planning Commission, by authority of Section 9107.1 of the San Jose Municipal Code, granting a front yard adjustment to 16' at 1133 Newhall Street, in accordance with plot plan

on file in the Department of Building, 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, Santora, Solari,
Starbird, Watson and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - None.

SWG No. 18
Final Zoning

Resolution of the City Planning Commission, submitting Final Resolution No. 10189.1 Report on zoning annexed area designated "South Willow Glen No. 18", is presented. Resolution No. 10189.1, directing public hearing on final report of the City Planning Commission on zoning annexed area known as South Willow Glen No. 18, and providing notice of such hearing, is read 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.

Payments Authorized

Certificates of H. J. Flannery, City Engineer, approved by A.P. Hamann, City Manager, that there is due and payable to, 1) A. J. Raisch Paving Company on contract for the improvement of a portion of Cherry Avenue from the South curb line of Koch Lane to a point 1009' S., all in or adjacent to Willow Gardens, Unit No. 2, Tract No. 1119, a partial payment of \$2,280.71; and 2) Leo F. Piazza Paving Co. on contract for the improvement of portions of Julian Street, Project 71; St. John Street, Project 79; St. James Street, Project 80; Seventeenth Street, Project 135; Reed Street, Project 142; Taylor Street, Project 143; and Virginia Street, Project 145, all Major City Streets a final payment of \$14,765.29, are read. Councilman Watson proposes and moves adoption of resolution that said payments be authorized, seconded by Councilman Starbird and adopted:

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

Annual
Report

Annual Report of the San Jose Public Library for the year 1953 is presented and filed.

Councilman Watson
Leaves Session

Councilman Watson requests and is granted permission to leave session.

Resolution No. 10190
Calling Municipal
Election

Resolution No. 10190 calling and giving notice of a Municipal Election to be held in the City of San Jose on April 13, 1954, for the purpose of nominating or electing public officers of the City of San Jose; submitting the question of whether A. P. Hamann, City Manager shall be retained in office for the ensuing two years; submitting such propositions relative to the sale of city-owned lands not needed for municipal purposes as may be directed by the Council at said election; calling and giving notice of a Municipal Election on May 11, 1954, for the purpose of electing such number of public officers as are not elected at said election on April 13, 1954; submitting an ordinance providing funds for the acquisition and development of park, playground, recreation and cultural areas; and designating the precincts, polling places and officers for each of said elections and providing for notice of each of said elections, is presented and upon motion of Councilman Starbird, seconded by Councilman Santora, adopted:

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

Councilman Watson
Enters

Councilman Watson enters and is seated.

Ordinance No. 4339
Prohibiting Parades
Thursday Nights

Ordinance No. 4339, entitled: "An Ordinance Of The City Of San Jose Amending Section 4243.1 Of The San Jose Municipal Code To Limit The Power Of The Council To Permit Parades On Thursday Nights", is read and upon motion of Councilman Starbird, seconded by Councilman Watson, passed to print:

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

Proposed Ordinance
Creating Historic
Landmarks Commission

Proposed Ordinance entitled: "An Ordinance Of The City Of San Jose Creating The Historic Landmarks Commission And Honorary City Historian, And Providing For Its Duties", is presented by the City Attorney. Councilman Starbird proposes and moves adoption that said proposed ordinance be referred to the Committee of the Whole for consideration and that copies of said ordinance be furnished to the Historic Landmarks Commission and the Board of Library Trustees, seconded by Councilman Santora and adopted:

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

Ordinance No. 4340
Fire House Site
Purchase
SW Minor & Auzerais

Ordinance No. 4340, entitled: "An Ordinance Of The City Of San Jose Authorizing And Directing The Mayor And The City Manager To Purchase On Behalf Of The City Of San Jose From San Jose Abstract & Title Insurance Co. Certain Real Property Situate On Or About The Intersection Of Minor And Auzerais Avenues, San Jose, Santa Clara County, California, For Fire Protection, Control And Other Municipal Purposes For the Price Of \$10,191.50 And Appropriating \$10,400.00 From The 1952 Firehouse Construction Fund Of Said City For Said Purpose And For The Payment Of Title Insurance And Other Costs And Expenses Incidental To The Purchase Of Said Property", is presented by the City Attorney and upon motion of Councilman Foley, seconded by Councilman Solari, passed to print:

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

Resolution No. 10191
14th St.
Rosa-Mission Sts.
Ordering Plans

Resolution No. 10191 directing the preparation of plans and specifications and a map showing proposed boundaries of the district to be assessed for the improvement of portions of 14th Street from the S. property line of Rosa Street to the N. property line of Mission Street, is presented by the City Attorney and upon motion of Councilman Santora, seconded by Councilman Starbird, adopted:

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

Resolution No. 10192
14th St.
Rosa-Mission Sts.
Adopting Plans

Resolution No. 10192 adopting plans and specifications for the improvement of portions of 14th Street from the S. property line of Rosa Street to the N. property line of Mission Street, is presented by the City Attorney and upon motion of Councilman Santora, seconded by Councilman Starbird, adopted:

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

Resolution No. 10193
Pascoe Ave.
Res. of Intention

Resolution No. 10193 declaring intention that the public interest, convenience and necessity require, and that said Council intends to order

the improvement of portions of Pascoe Avenue between the center line of Lincoln Avenue and the westerly line of Cimino Bros. Subdivision, Tract No. 283; creating an assessment district to pay the costs and expenses of said improvements; determining that serial bonds shall be issued to represent unpaid assessments; and determining that said improvements shall be made without compliance with the Special Assessment Investigation, Limitation And Majority Protest Act Of 1931; is presented by the City attorney and upon motion of Councilman Watson, seconded by Councilman Solari, adopted:

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

Resolution No. 10194 Resolution No. 10194 approving and accepting final map of Tract
Tract No. 1199
Approving Final Map No. 1199, is presented 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.

Resolution No. 10195 Resolution No. 10195 fixing official curb grades and position
Tract No. 1199
Fixing Curb Grades of curbs for Bellerose Avenue, Clarmar Way and portions of Bascom Avenue
and Forest Street, all in and adjacent to Tract No. 1199, is presented
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.

Resolution No. 10196 Resolution No. 10196 adopting plans and specifications for the
Tract No. 1199
Adopting Plans improvement of Bellerose Avenue, Clarmar Way and portions of Bascom Avenue
and Forest Street, all in and adjacent to Tract No. 1199, is presented 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.

Resolution No. 10197 Resolution No. 10197 approving and authorizing the execution
Tract No. 1199
Contract of the contract for the improvement of Bellerose Avenue, Clarmar Way and
portions of Bascom Avenue and Forest Street, all in and adjacent to Tract

No. 1199, is presented 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.

Resolution No. 10198
Asbury St.
Ordering Plans

Resolution No. 10198 directing the preparation of plans and specifications and a map showing proposed boundaries of the district to be assessed for the improvement of Asbury Street from the E. property line of Coleman Avenue to the W. property line of Walnut Street, is presented and upon motion of Councilman Santora, seconded by Councilman Watson, adopted:

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

Resolution No. 10199
Asbury St.
Improve
Adopting Plans &
Specifications

Resolution No. 10199 adopting plans and specifications for the improvement of Asbury Street from the E. property line of Coleman Avenue to the W. property line of Walnut Street, is presented and upon motion of Councilman Santora, seconded by Councilman Watson, adopted:

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

Santa Clara County
Inter-City Council
Meeting

A. P. Hamann, City Manager, reports that there will be a meeting of the Santa Clara County Inter-City Council at 7:00 o'clock P.M., March 11, 1954, in the Dodo Room of the Hawaiian Gardens, 1500 Almaden Road, San Jose.

Zoning Adjustment
Permit From
City of Alviso

Communication from Tony P. Santos, Mayor of City of Alviso, dated March 3, 1954, regarding application to the City of Alviso for a zoning adjustment permit to construct a Sewage Treatment Plant, with proposed contract to be executed attached, is presented by the City Manager. Report of the City Manager that steps have been taken to arrange for alternate sites for said Sewage Treatment Plant by filing three separate description of areas for annexation to the City, each including property to be purchased from John R. Watrous, is presented and filed. Councilman Watson proposes and moves adoption of resolution that said communication from Alviso be referred to the City Attorney, City Engineer and City Manager

for consideration and report, seconded by Councilman Solari and adopted:

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

Invite Bids
Fire Hydrants

A. P. Hamann, City Manager, requests and Councilman Santora proposes and moves adoption of resolution that the City Manager be authorized to invite bids for furnishing 45 - 42" bury fire hydrants for new installations for the Public Works Department, seconded by Councilman Solari and adopted:

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

One-Way Streets

A. P. Hamann, City Manager, presents proposed plan of Charles M. Smith, Chairman, California Better Traffic Committee, for one-way streets in San Jose. Councilman Watson proposes and moves adoption of resolution that said plan be referred to the Committee on Streets and Sewers for consideration, seconded by Councilman Santora and adopted:

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

Meeting with
Santa Clara City
Council

A. P. Hamann, City Manager, advises that the Council of the City of Santa Clara will meet with the Council of the City of San Jose to discuss mutual problems at 8 o'clock P.M. on March 19, 1954 at the Santa Clara Council Chambers.

Willow St. Park
Camellia Garden
Fence

A. P. Hamann, City Manager, presents and files report in compliance with request of November 16, 1953, that the cost of fencing the area at the Willow Street Park for proposed Camellia Garden, would be \$4,500.00. By unanimous consent said report is filed.

Alcoholic Beverage
Control Act

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

Adjourn

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

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

Adjourn

Council now adjourns at 9:30 o'clock P.M.

ATTEST *Dorothy Covill*
DOROTHY COVILL
City Clerk

PARKER L. HATHAWAY
Mayor

Parker L. Hathaway
3-8-54

Mailed 2-18-55

Monday San Jose, California March 15, 1954

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

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

Invocation Invocation is given by Reverend Noel E. Carden.

Minutes Councilman Starbird proposes and moves adoption of resolution that consideration of the Minutes of regular sessions of October 14, 26, 28, November 2, 9, 16, 18, 23, 27, December 7, 14, 17, 21, 28, 30, 1953, January 4, 11, 18, 25, 27, February 1, 8, 15, 23, March 1 and 8, 1954, be deferred, seconded by Councilman Watson and adopted:

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

Zoning This being the time and place designated for the purpose of
SWG No. 15 considering and discussing the final report of the City Planning Commission of the zoning of the annexed area known as "South Willow Glen No. 15", Thomas J. Randazzo, Attorney at Law, requests and Councilman Starbird proposes and moves adoption of resolution that said public hearing be continued to March 22, 1954, seconded by Councilman Watson and adopted:

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

Spur Tracks Application of The Western Pacific Railroad Company for permission to relocate two spur tracks across Auzerais Avenue between Sunol Street and the Los Gatos Creek, to serve the California Packing Corporation, as shown on Western Pacific drawing dated February 19, 1954, attached thereto and marked "Exhibit 'A' ", is read. Councilman Watson proposes and moves adoption of resolution that said application be referred to the City Attorney, City Engineer and the Director of Planning for consideration and report, seconded by Councilman Solari and adopted:

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

Master Plan of Streets
and Highways-Santa
Clara County

Communication from the County Planning Director advising that
the request pursuant to Resolution No. 10149, adopted February 8, 1954,
for the inclusion of Hedding Street and Moorpark Avenue on the Master
Plan of Streets and Highways of Santa Clara County will receive considera-
tion if said plan is amended, is read and filed.

Retirement Age

Communication from the Retirement Board of the Federated City
Employees Retirement System, dated March 10, 1954, recommending that
Section 2904.111a of the San Jose Municipal Code, covering extension of
retirement age beyond age 70, be deleted, is read. Councilman Watson pro-
poses and moves adoption of resolution that Section 2904.111a of the Code,
be not deleted, seconded by Councilman Santora and adopted:

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

Retirement Fund
Investment In
Public Improvement
Bonds

Communication from the Retirement Board of the Federated City
Employees Retirement System dated March 10, 1954, requesting that Sec-
tion 2904.58 of the San Jose Municipal Code be amended to permit the in-
vestment of Retirement Fund in Public Improvement Bonds of the City of
San Jose issued under the Improvement Procedure Code, is read. Councilman
Doerr proposes and moves adoption of resolution that said request be
granted and Section 2904.58 of the San Jose Municipal Code be amended to
permit investment of Retirement Funds in Public Improvement Bonds, seconded
by Councilman Solari, and adopted:

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

Ordinance No. 4341
Investment of
Retirement Fund

Ordinance No. 4341, entitled: "An Ordinance Amending Section
2904.58 Of The San Jose Municipal Code To Permit Investment Of San Jose
Federated Employees Retirement Fund In Public Improvement Bonds Issued
Pursuant To Proceedings Conducted Under Article II, Chapter 6A, Of The
San Jose Municipal Code", 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

S. 31st St.
Improve

Petition of property owners requesting that S. 31st Street between Santa Clara and San Antonio Streets, be ordered improved is read. Councilman Starbird proposes and moves adoption of resolution that said request be granted and the City Engineer be directed to prepare plans and specifications for said improvement, seconded by Councilman Watson and adopted:

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

Extension of Bus
Service & Installation
of Street Lights
Maypark No. 1 Area

Communication from Mrs. Helen Young, Secretary, Westside Improvement Association, dated March 7, 1954, requesting extension of bus service on Stevens Creek Road, and other streets in Maypark No. 1 annexation area, and installation of street lights on Stevens Creek Road between Bellerose Avenue and Genevieve Lane, is read. Councilman Santora proposes and moves adoption of resolution that said request be referred to the City Manager, seconded by Councilman Solari and adopted:

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

Proposed Meeting
Citizens Committee
of Cupertino
Annexation

Communication from Henrietta Marcotte, Secretary, Cupertino Citizens Committee, requesting a meeting to discuss mutual problems and relative merits of annexation and/or incorporation, is read. Councilman Starbird proposes and moves adoption of resolution that the City Manager be directed to meet with said Committee, seconded by Councilman Watson and adopted:

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

Peninsula Division
League of Calif. Cities
Meeting

Notice of meeting of the Peninsula Division, League of California Cities at 7:00 o'clock P.M., March 18, 1954, San Mateo, is read and filed.

Classification Plan
& Salary Plan

Communication from the Civil Service Commission, dated March 11, 1954, advising that on June 29, 1953, it submitted for confirmation, a revised Classification Plan, and on July 3, 1953, it submitted a Salary Plan for consideration, and requesting a decision by the Council on said plans, is presented. General discussion is had with John E. Thorne, Attorney at Law, and others regarding the adoption of the revised Classification Plan without adoption of the Salary Plan. Lenora Fowler protests city employees being affiliated with labor unions. Councilman Doerr proposes and moves adoption of resolution that the City Manager be directed to investigate methods by which said revised Classification Plan may be implemented, seconded by Councilman Solari, and adopted:

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

Classification
Changes
Police Dept.

Communication from the Civil Service Commission advising that it has 1) abolished the Classifications of Detective, (382) and Police Sergeant, (384); 2) established the Classification of Police Sergeant (Detective), (383), and 3) allocated all positions formerly allocated to Class 382 and 384 to Class 383, and allocated the position of Police Officer in the Detective Bureau to the classification of Police Sergeant (Detective) (383), is read and filed.

Proposed Accident
Sign
20-30 Club

David Suppiger presents and files request of the San Jose 20-30 Club for permission to erect a sign 8' x 12' in front of the U. S. O. Hospitality House in City Hall Plaza, at Market and San Carlos Streets, for the purpose of indicating the number of traffic accidents in San Jose on a comparison basis, with sketch attached. Councilman Starbird proposes and moves adoption of resolution that pursuant to Section 94 of the Charter said request be referred to the City Planning Commission 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

Proposed
Accident Signs
Junior Chamber of
Commerce
Various Locations

William H. Cole, appearing on behalf of the San Jose Junior Chamber of Commerce, requests permission to erect three signs 6' x 8' on Monterey Highway, 13th Street, and Market and San Carlos Streets, for the purpose of indicating to motorists the number of traffic accidents in San Jose, and that the City furnish the signal lights to be used in conjunction with said signs. Councilman Santora proposes and moves adoption of resolution that pursuant to Section 94 of the Charter, said request be referred to the City Planning Commission 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

Ordinance No. 4337
Salary Increase
Automatic

Ordinance No. 4337, entitled: "An Ordinance Of The City Of San Jose Repealing Section 3 And Amending Sections 4, 6 and 7 Of Ordinance No. 4000, Entitled: 'An Ordinance Fixing And Defining The Salary Ranges For Classes Of Officers 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', To Provide For Automatic Salary Increases For City Employees Upon Completion Of Specified Periods Of Employment, And To Clarify Other Related Matters", passed to print March 8, 1954, is given final reading and upon motion of Councilman Doerr, seconded by Councilman Santora, adopted:

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

Ordinance No. 4338
Holiday Benefits
Police & Fire Dept.

Ordinance No. 4338, entitled: " An Ordinance Of The City Of San Jose Amending Ordinance No. 3100 Of Said City, 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.' By Adding Thereto Two New Sections

Providing Holiday Benefits For Certain Officers And Employees Of The Police And Fire Departments Of Said City", passed to print March 8, 1954, is given final reading and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Ordinance No. 4339
Prohibiting
Parades
Thursday Nights

Ordinance No. 4339, entitled: "An Ordinance Of The City Of San Jose Amending Section 4243.1 Of The San Jose Municipal Code To Limit The Power Of The Council To Permit Parades On Thursday Nights", passed to print March 8, 1954, is given final reading and upon motion of Councilman Santora, seconded by Councilman Watson, adopted:

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

Ordinance No. 4340
Fire House Site
Minor & Auzerais Aves.
Purchase

Ordinance No. 4340, entitled: "An Ordinance Of The City Of San Jose Authorizing And Directing The Mayor And The City Manager To Purchase On Behalf Of The City Of San Jose From San Jose Abstract & Title Insurance Co. Certain Real Property Situate On Or About The Intersection Of Minor And Auzerais Avenues, San Jose, Santa Clara County, California, For Fire Protection, Control And Other Municipal Purposes For The Price Of \$10,191.50 And Appropriating \$10,400.00 From The 1952 Firehouse Construction Fund Of Said City For Said Purpose And For The Payment Of Title Insurance And Other Costs And Expenses Incidental To The Purchase Of Said Property", passed to print March 8, 1954, is given final reading and upon motion of Councilman Santora, seconded by Councilman Foley, adopted:

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

Traffic Signals
10th & Julian Sts.

Report of A. B. Philpott, Traffic Analyst, dated March 10, 1954,
that the proposed installation of traffic signals at 10th and Julian
Streets is in 8th position on priority list, is presented by the City
Manager and by unanimous consent, said report is accepted and filed.

Bid - Boiler #2
Civic Auditorium

Robert E. Cassin, City Attorney, presents and files opinion that
the proposal or bid of P. J. Rauch Co., for improvement of Boiler No. 2,
San Jose Civic Auditorium, is in substantial compliance with the notice
to bidders even though the signature of the bidder on the affidavit of
non-collusion has not been acknowledged before a notary public or the
City Clerk. Councilman Starbird proposes and moves adoption of resolution
that the proposal or bid of P. J. Rauch Co., be declared to be in substan-
tial compliance with the notice to bidders, seconded by Councilman Foley,
and adopted:

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

Improvement
Boiler #2
Civic Auditorium
Award

H. J. Flannery, City Engineer, reports that the proposal or bid
of P. J. Rauch Co., opened March 8, 1954, for improvement of Boiler No. 2
San Jose Civic Auditorium, is the lowest responsible bid for said improve-
ment, and recommends that said bid be accepted. Councilman Starbird pro-
poses and moves adoption of resolution that said bid of P. J. Rauch Co.,
be accepted, contract be awarded for said improvement, and all other bids
be rejected, seconded by Councilman Watson, and adopted:

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

Minnesota Ave. Bridge
Award

H. J. Flannery, City Engineer, advises that the proposal or
bid of Carl N. Swenson Co. Inc., opened March 8, 1954, for the construction
of the Minnesota Avenue Bridge across Lewis Canal, is the lowest respon-
sible bid for said improvement, and recommends that said bid be accepted.
Councilman Starbird proposes and moves adoption of resolution that said
bid of Carl N. Swenson Co. Inc., be accepted, contract be awarded for said
construction and all other bids be rejected, seconded by Councilman Solari,
and adopted:

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

Parks & Recreation
Commendation
Program

Resolution of the City Planning Commission adopted March 2, 1954,
commending the City Council on initiating a 10-year park, playground and
recreation development program, is read and by unanimous consent, accepted
and filed.

Emergency First
Aid Station

Mayor Hathaway reports that the Committee of the Whole recommends,
and Councilman Watson proposes and moves adoption of resolution that pur-
suant to Section 94 of the Charter, the City Planning Commission be directed
to consider and report by March 22, 1954, on the proposed location at the
NE corner of Carlisle and Santa Teresa Streets, and approve the plan of de-
sign, for the proposed Emergency First Aid Station, seconded by Council-
man Starbird, and adopted:

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

Municipal Golf Course

Mayor Hathaway reports that the Committee of the Whole recommends,
and Councilman Santora proposes and moves adoption of resolution that the
proposed establishment of a Municipal Golf Course, as referred June 1, 1953,
be filed, seconded by Councilman Watson, and adopted:

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

East Square
Recreation Facilities

Mayor Hathaway reports that the Committee of the Whole recom-
mends, and Councilman Starbird proposes and moves adoption of resolution
that the recommendation from the City Planning Commission, presented
June 29, 1953, for development of recreation facilities at East Square,
be filed, seconded by Councilman Watson, and adopted:

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

Sewage Treatment Plant
Request for
Additional Capacity

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Starbird proposes and moves adoption of resolution that request of County Sanitation District No. 4, presented October 13, 1953, for additional capacity in the proposed Sewage Treatment Plant, be filed at this time, seconded by Councilman Santora, and adopted:

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

Use of Dunne Hall
For Council
Meetings

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Watson proposes and moves adoption of resolution proposal to hold that the Council meetings in Dunne Hall at the Municipal Auditorium, if public hearings are to be held indicating overflow audiences at the City Hall, be filed, seconded by Councilman Starbird, and adopted:

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

Fire Station Locations

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Starbird proposes and moves adoption of resolution that the report and recommendation of the City Planning Commission, presented December 21, 1953, on proposed Fire Station locations be filed, seconded by Councilman Doerr, and adopted:

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

S.J. Water Works
License Fee

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Watson proposes and moves adoption of resolution that consideration of the possibility of increasing license fee paid by San Jose Water Works, as referred to the Committee on Ordinance and Franchise on February 9, 1953, be filed, seconded by Councilman Starbird, and adopted:

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

Donation of NE Corner Carlisle & Santa Teresa Sts. Mayor Hathaway reports that the Committee of the Whole recommends and Councilman Starbird proposes and moves adoption of resolution that oral report of the City Attorney presented to the Committee of the Whole, March 15, 1954 that the Legal Department is negotiating with John S. Mise on his donation of property at NE corner of Carlisle and Santa Teresa Streets, as site for proposed Emergency First Aid Station building, be accepted, seconded by Councilman Santora, and adopted:

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

Proposed Contract Water Samples For City of Santa Cruz Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Starbird proposes and moves adoption of resolution that the request, as referred to the City Attorney February 8, 1954, on proposed agreement for the performance by City Health Department of bacteriological examinations and reports of water samples for the City of Santa Cruz, be filed, seconded by Councilman Santora, and adopted:

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

Police Rules & Regulations Amendment Request of J. R. Blackmore, Chief of Police, that revision of Section 3205 of the Rules and Regulations of the Police Department be approved, is presented. Councilman Watson proposes and moves adoption of resolution that said request be referred to the City Attorney for consideration and report, seconded by Councilman Starbird, and adopted:

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

Payment Authorized Certificate of H. J. Flannery, City Engineer, approved by the City Manager, that there is due and payable to A. J. Raisch Paving Company on contract for the improvement of Parkside Avenue, Pine Avenue and Bird Avenue, a final payment of \$6,018.35, is read. Councilman Santora proposes and moves adoption of resolution that said payment be authorized, seconded by Councilman Foley and adopted:

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

House Moving
Protest

Notification from H. J. Flannery, City Engineer, that protest having been filed on the proposed moving of a one-story steel building from the N. side of Polhemus Street at Victory Village to a lot on the NE corner of Stockton Avenue and McKendrie Street, that 8:00 o'clock P.M., March 22, 1954, Council Chamber, City Hall, has been fixed as the time and place for public hearing on said protest, in accordance with provisions of Chapter 5, Article VIII of the San Jose Municipal Code, is read. By unanimous consent said notification is approved.

Resolution No. 10200
Dana Ave.
Preliminary
Determination

Resolution No. 10200 of preliminary determination that the public convenience and necessity require the improvement of a portion of Dana Avenue from the N. property line of Calaveras Avenue to a point 138.65' S. of the S. property line of Hester Avenue, without compliance with the provisions of The Special Assessment Investigation, Limitation and Majority Protest Act of 1931; describing said proposed improvements; and setting a time and place for hearing thereon, is presented and upon motion of Councilman Watson, seconded by Councilman Starbird, adopted:

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

Resolution No. 10201
Tract No. 1261
Talesfore Acres
Final Map

Resolution No. 10201 approving and accepting Final Map of Tract No. 1261, Talesfore Acres; and communication from the San Jose Abstract & Title Insurance Co. advising that they have requested the preparation of a deed for public utility easement over the 5' strip adjoining said subdivision on the West are presented, and upon motion of Councilman Starbird, seconded by Councilman Watson, said resolution is adopted:

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

Resolution No. 10206
Bascom Ave.
Ordering Plans

Resolution No. 10206 directing the preparation of plans and specifications and a map showing proposed boundaries of the district to be assessed for the improvement of portions of Bascom Avenue from the center line of Naglee Avenue to the center line of Davis Street, is presented, and upon motion of Councilman Watson, seconded by Councilman Starbird, adopted:

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

Rental
City-owned Property
263 Spencer Ave.

A. P. Hamann, City Manager, recommends and Councilman Starbird proposes and moves adoption of resolution that the tenant occupying the city-owned dwelling at 263 Spencer Avenue, be allowed to remain on a month to month basis at rental of \$60 per month, conditioned a policy of public liability insurance in amount of \$50,000 be furnished the City, seconded by Councilman Watson and adopted:

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

Invite Bids
1027, 1037, 1047
Polhemus St.

A. P. Hamann, City Manager, recommends and Councilman Starbird proposes and moves adoption of resolution that the City Manager be authorized to publish notice of public auction for the sale of city-owned dwellings, not now needed for municipal purposes, at 1027, 1037, and 1047 Polhemus Street, with minimum bid to be \$100.00 each, seconded by Councilman Watson and adopted:

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

Noise Abatement:

Communication from the National Noise Abatement Council urging observance of Noise Abatement Week from April 11th through 17th, 1954, and inauguration of Noise Abatement activities in San Jose, is read, and by unanimous consent, said communication is filed.

Councilman Santora
Leaves Session

Councilman Santora requests and is granted permission to leave session.

Maintenance Repairman
Municipal Auditorium

Request of Jay McCabe, Manager, Municipal Auditorium, that the position of Maintenance Repairman, which was deleted when Alonzo Rolison

retired, be restored and one custodial position be deleted in lieu thereof,
is read and filed. A. P. Hamann, City Manager, recommends and Councilman
Starbird proposes and moves adoption of resolution that said request be
granted, seconded by Councilman Watson and adopted:

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

Meeting With
Santa Clara Council

A. P. Hamann, City Manager, advises that meeting previously
scheduled with the Santa Clara City Council has been cancelled. Councilman
Doerr proposes and moves adoption of resolution that the City Manager com-
municate with the City of Santa Clara to arrange a new time for meeting,
seconded by Councilman Watson and adopted:

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

Resolution No. 10207
Yale & Town Roadshow
Permit

Resolution No. 10207 granting revocable permission to Indus-
trial Truck Sales Company and the Yale and Towne Manufacturing Company
to hold, conduct and display the "Yale and Towne Roadshow" upon certain
portions of Columbus Park within the City of San Jose, and setting forth
the terms and conditions of said permit, is read and upon motion of
Councilman Watson, seconded by Councilman Foley, adopted:

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

Resolution No. 10208
Child Health Conference
Agreement
Mason, Bertha, M.D.

Resolution No. 10208 authorizing execution of agreement with
Bertha Mason, M.D., for services in connection with Child Health Conferences,
is presented and upon motion of Councilman Foley, seconded by Councilman
Solari, adopted:

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

Resolution No. 10209
Child Health Conference
Agreement
Rafferty, Rachel S., M.D.

Resolution No. 10209 authorizing execution of agreement with
Rachel S. Rafferty, M.D., for services in connection with Child Health
Conferences, is presented 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.

Resolution No. 10210
Option to Purchase
Watrous Property

Resolution No. 10210 setting forth the terms of an option to purchase for municipal purposes a certain described parcel of real property from John R. and Mabel G. Watrous, and authorizing the Mayor and City Manager to accept said option on behalf of the City, is presented 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.

Ordinance No. 4342
Lease Property
Firehouse Purposes
(Lauer)

Ordinance No. 4342, entitled: "An Ordinance Of The City Of San Jose Finding That The Public Interest And Convenience Requires That Said City Lease Certain Property And Use The Same For Firehouse And Other Municipal Purposes; Authorizing The Execution By City Of An Agreement To Lease Such Property Upon Completion Of Construction Thereon Of A Certain Building In Accordance With Certain Plans And Specifications; And Specifying The Terms And Conditions Of Such Lease.", is read and upon motion of Councilman Starbird, seconded by Councilman Foley, passed to print:

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

Alcoholic Beverage
Control Act.

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

Adjourn

Councilman Watson proposes and moves adoption of resolution that the Council adjourn in respect to the memory of Richard French, Councilman from July 1, 1932 to June 30, 1938, deceased March 11, 1954, 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 9:55 o'clock P.M.

ATTEST *Dorothy Covill*
DOROTHY COVILL
City Clerk

PARKER L. HATHAWAY
Mayor

Parker L. Hathaway

Mailed 2-25-54

Monday San Jose, California March 22, 1954

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

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

Invocation Invocation is given by Reverend George R. Flora.

Minutes Councilman Starbird proposes and moves adoption of resolution that consideration of the Minutes of regular sessions of October 14, 26, 28, November 2, 9, 16, 18, 23, 27, December 7, 14, 17, 21, 28, 30, 1953, January 4, 11, 18, 25, 27, February 1, 8, 15, 23, March 1, 8, and 15, 1954, be deferred, seconded by Councilman Santora and adopted:

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

Bid Power Bucket Machine & Sewer Roder Clerk reports receipt of one sealed proposal or bid for one power bucket machine and one sewer roder. 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 and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Watson.

Bid Clerk now opens said sealed proposal or bid.

Items	Bidder	
	Eugene M. Brown, dba Southwest Sewer Tool Co.	
	Price	
	\$	Cts.
1 set (2 units) power bucket machine	3,334.80	
1 skid mount sewer roder	4,158.70	

PLUS STATE SALES TAX

Guarantee: Eugene M. Brown, dba Southwest Sewer Tool Co. - Certified #3070 check #1795 (90-1125-1222) in amount of \$750.00.

Bid Power Bucket Machine & Sewer Roder Councilman Starbird proposes and moves adoption of resolution that said proposal or bid be referred to the Purchasing Agent for consideration and report, seconded by Councilman Foley and adopted:

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

Anne Darling No. 7
Annexation
Resolution No. 10211
Determination of
Protest

This being the time and place fixed by Resolution No. 10147, adopted February 8, 1954, when and where any person owning real property in the uninhabited territory proposed to be annexed to the City of San Jose and designated Anne Darling No. 7, may object or protest said proposed annexation, City Clerk advises that no protests to said proposed annexation have been filed. City Clerk presents and files affidavit of Alice G. Wade of the publication in the San Jose News on February 19 and March 1, 1954, of Resolution No. 10147; and affidavit of ^{John S. Baggerly} ~~Rose M. Paine~~ of the publication in the Los Gatos Daily Times on February 19 and March 1, 1954, of Resolution No. 10147. Certificate of Pearce Davies dated March 22, 1954, 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, is presented by Pearce Davies, Associate Planner. No person is present desirous of being heard. Resolution No. 10211 finding and determining that protest to the proposed annexation of certain uninhabited territory designated as Anne Darling No. 7 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 value of such territory as determined by the Council, is presented by the City Attorney and upon motion of Councilman Starbird, seconded by Councilman Santora, adopted:

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

Anne Darling No. 7
Annexation Hearing
Closed

Councilman Starbird proposes and moves adoption of resolution that the public hearing on the proposed annexation of uninhabited territory designated as Anne Darling No. 7, be closed, seconded by Councilman Foley and adopted:

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

Ordinance No. 4343
Annexing Anne
Darling No. 7
(Uninhabited)

Ordinance No. 4343, entitled: " An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain Uninhabited

Territory Designated As 'Anne Darling No. 7' And Herein Described And Herein Annexing Said Territory To Said City Of San Jose", is presented by the City Attorney and upon motion of Councilman Starbird, seconded by Councilman Santora, passed to print:

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

Ford Ave.
Hearing Closed

This being the time and place fixed when and where any person may appear and show cause, if any they have, why a portion of Ford Avenue between Cottage Grove and Bellevue Avenues, should not be improved without further compliance with the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", Clerk reports that no written protests to said proposed improvements 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 - Doerr, Foley, Santora, Solari,
Starbird and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Watson.

Resolution No 10212
Ford Ave.
Improve Without
Compliance

Resolution No. 10212, determining to make improvement without compliance with the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", upon Ford Avenue between Cottage Grove Avenue and Bellevue Avenue, is read and upon motion of Councilman Starbird, seconded by Councilman Santora, adopted:

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

19th St.
Rosa to Jackson Sts.
Hearing Closed

This being the time and place fixed when and where any person may appear and show cause, if any they have, why a portion of 19th Street, between Rosa Street and Jackson Street, should not be improved without further compliance with the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", Clerk advises no written protests to said improvement 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 - Doerr, Foley, Santora, Solari,
Starbird and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Watson.

Resolution No. 10213
19th St.
Improve Without
Compliance

Resolution No. 10213, determining to make improvement without compliance with the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", upon 19th Street, between Rosa Street and Jackson Street, is read and upon motion of Councilman Santora, seconded by Councilman Starbird, adopted:

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

Public Card Room
84-86 N. San Pedro St.
Hearing

This being the time and place fixed for public hearing on application of Tony Ramirez and Martin Haro for a permit to operate and maintain a public card room at 84-86 N. San Pedro Street, Clerk reports that no written protest to said application has 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 Santora and adopted:

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

Public Card Room
84-86 N. San Pedro St.
Permit

Councilman Starbird proposes and moves adoption of resolution that permit be granted to Tony Ramirez and Martin Haro to operate and maintain a public card room at 84-86 N. San Pedro Street, seconded by Councilman Santora and adopted:

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

SWG No. 15
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 "South Willow Glen No. 15" as continued from March 15, 1954, Councilman Starbird proposes and moves adoption of resolution that said hearing be continued to 8:00 o'clock P.M. April 12, 1954, Council Chambers, City Hall, seconded by Councilman Foley and adopted:

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

Moving of Steel Building
Hearing

This being the time and place fixed for public hearing on proposed moving of a steel building from the N. side of Polhemus Street at Victory Village, to a lot at the NE corner of Stockton Avenue and McKendrie Street, H. J. Flannery, City Engineer, advises that protest was received to said proposed moving. Robert E. Cassin, City Attorney, advises on the regulation for house moving as contained in the San Jose Municipal Code. Councilman Solari, Chairman of the Committee on Streets and Sewers report that said Committee has investigated and considered said proposed moving and has no recommendation to submit. Ethel Bergen presents and files petition of residents in the vicinity of the NE corner of Stockton Avenue and McKendrie Street, protesting the proposed moving of said building. Anthony Anastasi, Attorney at Law, on behalf of Mutual Grocery Company, William Emerson, Robert Erickson and others appear in support of said protest. Gilmore Erickson and Mrs. Major Jorgensen appear on behalf of The Salvation Army, applicant for said moving, in favor of said proposed moving of said building. Councilman Starbird proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Foley and adopted:

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

Moving of Steel Building
Reopen Hearing

General discussion is had on the proposed moving of a steel building from the N. side of Polhemus Street at Victory Village, to a lot at the NE corner of Stockton Avenue and McKendrie Street. Councilman Santora proposes and moves adoption of resolution that said protest be sustained and permit to move said building be denied and for lack of a second, said motion fails. Councilman Santora suggests that said applicant work with the City Manager and the City Engineer to find a suitable location on which to move said building. Councilman Doerr suggests that The Salvation Army be granted two weeks in which to find a suitable location. Councilman Doerr proposes and moves adoption of resolution that the public hearing, heretofore closed, be reopened, seconded by Councilman Starbird, and adopted:

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

Moving of Steel Building
Hearing

This being the time and place for public hearing, as heretofore reopened, on the proposed moving of a steel building from the N. side of Polhemus Street at Victory Village, to a lot at the NE corner of Stockton Avenue and McKendrie Street, Councilman Doerr proposes and moves adoption of resolution that said hearing be continued to 8:00 o'clock P.M., April 5, 1954, seconded by Councilman Solari, and adopted:

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

Commissioner
Historic Landmarks
Commission
Gilbert, Benjamin F.

Nominations are now declared in order for the office of Commissioner, Historic Landmarks Commission, one to be appointed for the unexpired term ending October 1, 1956. Vice Dr. O. S. Walsh, deceased. Councilman Starbird nominates Dr. Benjamin F. Gilbert, and nomination is seconded by Councilman Foley. No further nominations are heard. Councilman Starbird proposes and moves adoption of resolution that Dr. Benjamin F. Gilbert be declared appointed to the office of Commissioner, Historic Landmarks Commission, for the unexpired term ending October 1, 1956, seconded by Councilman Foley and adopted:

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

Gasoline Service
Station
675 Hamline St.

Application of Emil Filice, for a permit to establish a gasoline service station at 675 Hamline Street, in accordance with the provisions of the San Jose Municipal Code, heretofore referred to and approved by the Chief, Fire Prevention Bureau, the City Engineer and the Director of Planning, is presented. Councilman Starbird proposes and moves adoption of resolution that said permit be granted, seconded by Councilman Foley and adopted:

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

Ping Pong Operation

Communication dated March 17, 1954 from George C. Peacock, Manager of the Merchants Association of San Jose, requesting permission to drop

merchandise orders from a helicopter at 10:30 A.M., May 13, 1954, is read.

General discussion is had on the similar operation conducted in 1953.

Councilman Starbird proposes and moves adoption of resolution that said request be referred to the City Attorney and that he be directed to advise the Merchants Association of the City's requirements for such operation, seconded by Councilman Doerr and adopted:

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

Flags
Greater San Jose Days

Communication dated March 17, 1954, from George C. Peacock, Manager of the Merchants Association of San Jose, requesting that "Greater San Jose Days" flags be installed on the downtown streets by May 11, 1954, is read. Councilman Starbird proposes and moves adoption of resolution that said request be granted, seconded by Councilman Toley and adopted:

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

Complaint
Condition of Malone Rd.

Communication dated March 15, 1954, from Roberta H. Black and Ynez B. Paul, complaining on the condition of Malone Road is read. H. J. Flannery, City Engineer, reports that a main sewer line has been laid on said street and is now in the process of settling, whereupon, by unanimous consent, said communication is filed.

Professional Engineer-
ing Positions

Communication from the San Jose Chapter of the Society of Professional Engineers, dated March 18, 1954, renewing its request presented February 15, 1954, urging the adoption of the recommendation of the State Personnel Board on positions requiring Professional Engineers, is read and filed.

Fire House
1161 Minnesota Ave.
Proposed Relocation

Communications from Mrs. Ray C. Souden, and others urging the early consideration of the proposed relocation of the Fire House at 1161 Minnesota Avenue, heretofore considered on July 13, 1953, are presented. Mrs. Beckett, Mrs. Pope and others urge the relocation of said Fire House. General discussion is had. M. H. Antonacci, Director of Planning, advises that the Board of Fire Underwriters have made no recommendation for the relocation of said Fire House. Mrs. Beckett requests, and by unanimous consent, the committee of Willow Glen residents, will meet with the Special

Committee heretofore appointed on July 13, 1953.

Request For Consent
Annexation To
City of Campbell

Request of Joseph A. Bonacina, City Attorney of the City of Campbell, that pursuant to Section 35304.5 of the Government Code, consent be given for the annexation of approximately 5.04 acres of land owned by Albert G. Warning and Walter Dahlin to the City of Campbell, being within 2.1 miles of the City Limits of San Jose, is read. Councilman Starbird proposes and moves adoption of resolution that said request be referred to the City Attorney for consideration and report, seconded by Councilman Santora and adopted:

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

Increase Rates
San Jose City Lines

Copy of application of San Jose City Lines, Inc. to the Public Utilities Commission, for authority to increase certain rates of fare, is presented and filed.

Sanitary Sewers
N. 8th Street.

Petition of John A. Dietz and others, requesting installation of sanitary sewers on N. 8th Street, north of Rosa Street, is presented. H. J. Flannery, City Engineer, reports that the over-all plan for installation of sewer facilities in this area will be presented to the Council within two or three weeks. John A. Dietz appears in support of said petition. Councilman Santora proposes and moves adoption of resolution that said request be referred to the City Manager and the City Engineer for consideration and report on March 29, 1954, seconded by Councilman Doerr and adopted:

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

National Guard Week

Request of Harvie A. Warren, General Chairman, National Guard Week, that in observance of said week, May 10 through 15, 1954 be so proclaimed; that a reviewing stand be erected in front of the Court House on the evening of May 12, 1954; and that flags be installed for said week, is presented. Councilman Starbird proposes and moves adoption of resolution that said request be referred to the City Manager for consideration and report on March 29, 1954, seconded by Councilman Doerr and adopted:

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

Claim for False Arrest
Bennett, Gerald

Claim of Gerald Bennett in amount of \$6,000 for alleged malicious
and false arrest, prosecution and imprisonment occurring on July 26, 1953,
is presented. Councilman Doerr proposes and moves adoption of resolution
that said claim be referred to the City Attorney for consideration,
seconded by Councilman Starbird and adopted:

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

James Lick Trust Fund
(Home of Benevolence)
Manager Sign Proxy

Robert E. Cassin, City Attorney, recommends and Councilman Starbird
proposes and moves adoption of resolution that the City Manager be author-
ized to sign proxy for the annual meeting of stockholders of the American
Telephone and Telegraph Company, to be held on April 21, 1954, for and on
behalf of the perpetual trust fund of \$25,000.00, known as and called the
"James Lick Trust Fund," the return from investment inuring to the Home of
Benevolence of San Jose, seconded by Councilman Santora and adopted:

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

Claim For Damages
Figueroa, Beulah

Claim of Beulah Figueroa in amount of \$25,000, for alleged in-
juries and damages occurring December 21, 1953 at Bayshore Highway and
Berryessa Road, is read. Councilman Doerr proposes and moves adoption of
resolution that said claim be referred to the City Attorney for considera-
tion, seconded by Councilman Starbird and adopted:

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

Proposed Ordinance
Regulating &
Licensing
Photographers

Wes Strouse, Manager, Better Business Bureau, presents and files
communication requesting consideration of proposed amendment to the regu-
lations contained in the San Jose Municipal Code governing photographers,
and submits proposed Ordinance entitled: "An Ordinance Governing The
Occupation Or Profession Of Resident, Transient Or Itinerant Portrait Or
Commercial Photography And Such Related Activities As Enlarging, Copying,
Coloring And Portrait Finishing Of Photographs, Conducted Or Solicited

Within The City Of San Jose, Providing For Licenses And Permits For Photographers And Their Employees; Providing For Penalties For The Violation Hereof, And Repealing All Other Ordinances Or Parts Of Ordinances Of Said City, Inconsistent Herewith, To The Extent Of Such Inconsistency, And No Further". Councilman Starbird proposes and moves adoption of resolution that said proposed ordinance be referred to the City Attorney for consideration and report, seconded by Councilman Doerr and adopted:

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

Proposed
Classification Plan

Upon inquiry of John E. Thorne, Attorney at Law, A. P. Hamann, City Manager presents and files report, dated March 22, 1954, on whether the proposed Classification Plan can be implemented, as referred on March 15, 1954 and reporting that it is not practicable to adopt the Classification Plan without concurrent adoption of one of the Salary Plans. John E. Thorne, Attorney at Law, displays figures indicating possible sources of funds for effecting a salary increase for city employees and requests that if Salary Plan A, B or C cannot be immediately adopted, then all city employees be granted a \$25.00 monthly increase in salary. Eugene L. Rendler, Attorney at Law, appearing on behalf of the Municipal Employees Federation, urges that Salary Plan A be adopted. Councilman Santora suggests and Councilman Doerr proposes and moves adoption of resolution that in the absence of Councilman Watson, consideration of the proposed Classification Plan and Salary Plan be deferred until March 29, 1954, or until all members of the Council are present, seconded by Councilman Santora, and adopted:

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

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,
Starbird and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Watson.

Recess

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

Reconvene

Council now reconvenes at 11:30 o'clock P.M. and the Clerk calls the roll:

Roll Call

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

Ordinance No. 4341
Investment of
Retirement Funds

Ordinance No. 4341, entitled: "An Ordinance Amending Section 2904.58 Of The San Jose Municipal Code To Permit Investment Of San Jose Federated Employees Retirement Fund In Public Improvement Bonds Issued Pursuant To Proceedings Conducted Under Article II, Chapter 6A, Of The San Jose Municipal Code", is read and upon motion of Councilman Santora, seconded by Councilman Starbird, adopted:

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

Ordinance No. 4342
Lease Property
Fire House Purposes
(Lauer)

Ordinance No. 4342, entitled: "An Ordinance Of The City Of San Jose Finding That The Public Interest And Convenience Requires That Said City Lease Certain Property And Use The Same For Firehouse And Other Municipal Purposes; Authorizing The Execution By City Of An Agreement To Lease Such Property Upon Completion Of Construction Thereon Of A Certain Building In Accordance With Certain Plans And Specifications; And Specifying The Terms And Conditions Of Such Lease", is read and upon motion of Councilman Doerr, seconded by Councilman Santora, adopted:

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

Proposed Location
Emergency First Aid
Station

Report of the City Planning Commission pursuant to Section 94 of the Charter, recommending the proposed location at the NE corner of Carlyle and Santa Teresa Streets, and approval of the plan of design for the Emergency First Aid Station, referred March 15, 1954, is presented. Councilman Santora proposes and moves adoption of resolution that said report be accepted, seconded by Councilman Starbird and adopted:

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

Resolution No. 10214
Rules & Regulations
Police Department
Amended

Robert E. Cassin, City Attorney, presents and files report on proposed amendment of Section 3205 of Rules and Regulations and Manual of

Procedure of the Police Department relative to acceptance of bail, referred on March 15, 1954. Resolution No. 10214 amending Section 3205(h) of the Rules & Regulations and Manual of Procedure for the Government of the Police Department is presented, and upon motion of Councilman Starbird, seconded by Councilman Santora, adopted:

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

Proposed Rezoning
Koch Lane

Report and recommendation of the City Planning Commission that the real property located on the NW side of Koch Lane beginning 50' SW from intersection thereof with the SW line of Almaden Road and continuing southwesterly along the northwesterly line of Koch Lane for a distance of 275' more or less having a depth of 178' more or less, be not rezoned from R-1 and R-2 Residence District to C-1 Commercial District is presented. Thomas J. Randazzo, Attorney at Law, urges that said rezoning be approved. Councilman Doerr proposes and moves adoption of resolution that pursuant to Section 9112.1(a) of the San Jose Municipal Code, 8:00 o'clock P.M., April 12, 1954, 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, Santora, Solari,
Starbird and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Watson.

Proposed Rezoning
Willow-Guadalupe
S.P.-W.P. Area

Report and recommendation of the City Planning Commission that certain real property bounded generally on the W. by the Guadalupe River, on the N. by Willow Street, on the E. by the Southern Pacific Company railroad and the City Limits Line, and on the S. by the Western Pacific railroad, be rezoned from R-1 Residence District to M-1 Manufacturing District, is read. Councilman Starbird 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., April 19, 1954, Council Chambers, City Hall, be fixed as time and place for the purpose of considering and discussing said proposed rezoning, seconded by Councilman Solari and adopted:

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

Sign Over Plan Line
SW Curtner & Lincoln

Recommendation of the City Planning Commission that by Authority of Section 8612.1 of the San Jose Municipal Code, a permit be granted to the Standard Oil Company of California, to erect a fin neon sign at the SE corner of Curtner Avenue and Lincoln Avenue, extending 10' beyond the Official Plan Line, in accordance with the plot plan on file in the Department of Building, is read. Councilman Starbird proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Santora and adopted:

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

Yard Adjustments
SE Santa Clara-Los Gatos Rd.
& Hedding St.

Resolution of the City Planning Commission, by authority of Section 9107.1 of the San Jose Municipal Code, granting a front yard adjustment to 12' and a rear yard adjustment to 9', at the SE corner of Santa Clara-Los Gatos Road and Hedding Street, in accordance with plot plan on file in the Department of Building, is read. Councilman Starbird proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Santora and adopted:

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

Land Use At
1st and Rosa Sts.

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Foley proposes and moves adoption of resolution that request of May 12, 1952 to the City Planning Commission to prepare a study of various municipal facilities which should or could be located on city-owned land at 1st and Rosa Streets, be filed, seconded by Councilman Santora and adopted:

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

Off-Street Parking
Requirement For
New Construction

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Starbird proposes and moves adoption of resolution that request of December 15, 1952 to the City Planning Commission to consider and report on the proposed amendment to the San Jose Municipal Code requiring additional off-street parking facilities for all types of new

buildings not now controlled under Sections 9105.2 and 9105.3 of said Code, be filed, seconded by Councilman Santora and adopted:

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

Park & Playground
Improvement Program

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Starbird proposes and moves adoption of resolution that request of June 15, 1953, to the City Planning Commission to develop and submit a coordinated plan for the improvement and development of an over-all park and playground program to include cost and other data, be filed, seconded by Councilman Foley, and adopted.

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

William St. Park.
Sanitary Facilities

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Foley proposes and moves adoption of resolution that request of June 15, 1953 to the City Planning Commission to study and report on a proposed location of sanitary facilities at William Street Park which will be suitable for whatever park developments may be made in the general area, be filed, seconded by Councilman Starbird, and adopted:

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

Conversion of Lower Floor
Hart Property
(Branch Library)

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 have necessary plans prepared for the conversion of the lower floor of the Hart home at 1715 The Alameda into a branch library, seconded by Councilman Foley, and adopted:

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

Proposed Spur Track
Across N. 9th St.
N. of Rosa St.
Deny

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Starbird proposes and moves adoption of resolution that the application of the Southern Pacific Company for a permit to construct, maintain and operate an industrial spur track in and across N. 9th Street, N. of Rosa Street, to serve the Artificial Stone Works, be denied, seconded

by Councilman Doerr, and adopted:

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

Proposed Ordinance
Regulating Street
Activities

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Starbird proposes and moves adoption of resolution that the proposed ordinance adding Sections 3503, 3503.1 and 3503.2 to the San Jose Municipal Code establishing a procedure for the granting of permits by the City Council and setting forth minimum requirements for said permits, heretofore referred to the Committee of the Whole on August 24, 1953, be referred to the Committee on Ordinance and Franchise, for consideration and report, seconded by Councilman Santora, and adopted:

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

Proposed Committee
Recreation Program

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Starbird proposes and moves adoption of resolution that the request that the Recreation Commission be directed to recommend the membership of a citizen's committee to formulate and recommend a program for the development of recreation facilities, as referred on November 9, 1953, be filed, seconded by Councilman Santora, and adopted:

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

Recreational Facilities

Mayor Hathaway reports that the Committee of the Whole recommends, and Councilman Santora proposes and moves adoption of resolution that request that the Recreation Commission be directed to consider and report on feasibility of the City developing recreational facilities at schools which do not have such facilities and after such development that the San Jose Unified School District maintain said facilities, as referred on March 1, 1954, be filed, seconded by Councilman Starbird, and adopted:

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

Reports

Report of the Fire Department for January and reports of the Health Department and City Auditor for February, 1954, are presented and filed.

Resolution 10215
Cancel Taxes
State Highway
Property

Resolution No. 10215 authorizing the City Attorney to consent to cancellation of taxes on property acquired by the State of California, is read, and upon motion of Councilman Foley, seconded by Councilman Santora, adopted:

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

Ordinance No. 4344
Water Company
Business License

Ordinance No. 4344, entitled: "An Ordinance Amending Section 6387 Of The San Jose Municipal Code, Relating To Business License Tax For Water Company Furnishing Water To City Or Residents", is read and upon motion of Councilman Doerr, seconded by Councilman Santora, passed to print:

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

San Carlos St. Widening
Resolution 10216
Agreement for
Appraisals

Resolution No. 10216 authorizing and directing the Mayor and City Manager to enter into, on behalf of the City of San Jose and with the San Jose Realty Board, an agreement for the services of said board to be used in connection with the appraisal of certain properties for the widening of San Carlos Street, is read and upon motion of Councilman Santora, seconded by Councilman Solari, adopted:

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

Resolution 10217
Emergency First Aid
Station
Compromise Contract

Resolution No. 10217 approving and authorizing the execution of a compromise agreement with Evans and Lincoln, Architects, and a discharge of rights and duties between the parties to that certain agreement set forth and contained in Ordinance No. 4259 adopted November 2, 1953 for the preparation of plans, designs, specifications and calculations to be used in connection with the construction of an Emergency First Aid Station by City near the SW corner of the intersection of 1st and Rosa Street, is read and upon motion of Councilman Starbird, seconded by Councilman Foley, adopted:

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

Resolution No. 10218
Proposed Sale of
City-Owned Buildings
1027, 1037 & 1047
Polhemus St.

Resolution No. 10218 finding and determining that certain city-owned buildings located at 1027, 1037 and 1047 Polhemus Street are not needed for nor adapted to municipal purposes and that the public interest will be served by their sale at public auction; setting forth the terms and conditions for said sale; and directing the City Clerk to give notice of the intended sale of said buildings at public auction to be held at 8:00 o'clock P.M. April 19, 1954, Council Chambers, City Hall, is read and upon motion of Councilman Starbird, seconded by Councilman Santora, adopted:

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

Ordinance No. 4345
Appropriations
Dept. of Public Works

Ordinance No. 4345, entitled: "An Ordinance Appropriating The Sum of \$45,000 From the Unappropriated Surplus Of the Public Improvement Fund To The Department Of Public Works; The Sum Of \$9,000 From The Unappropriated Surplus Of The Guadalupe River Realignment Fund To The Department Of Public Works; And The Sum Of \$3,000 From The Unappropriated Surplus Of The Gas Tax Fund To The Department Of Public Works", is read and upon motion of Councilman Santora, seconded by Councilman Foley, passed to print:

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

Invite Bids
Automobiles

A. P. Hamann, City Manager, requests and Councilman Santora proposes and moves adoption of resolution that the City Manager be authorized to invite bids for furnishing seven 1954 automobiles, seconded by Councilman Starbird and adopted:

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

Invite Bids
Card Cabinets For
Fire Alarm System

A. P. Hamann, City Manager, requests and Councilman Santora proposes and moves adoption of resolution that the City Manager be authorized to invite bids for furnishing 15 card cabinets for the phantom alarm system, seconded by Councilman Foley and adopted:

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

Improve 10th St.
Taylor-SP RR.

H. J. Flannery, City Engineer, requests permission to submit plans and specifications for improvement of 10th Street from Taylor Street northerly to the Southern Pacific Company railroad crossing to the State for approval. Councilman Starbird proposes and moves adoption of resolution that the City Engineer be authorized to submit said plans to the State, seconded by Councilman Santora and adopted:

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

Resolution No. 10219
Cottle Ave.

Preliminary Determination convenience and necessity require the improvement of a portion of Cottle Avenue from Malone Road to Clark Way, without compliance with the provisions of "The Special Assessment Investigation, Limitation and Majority Protest Act of 1931", describing said proposed improvements and setting a time and place for hearing thereon, is read and upon motion of Councilman Starbird, seconded by Councilman Santora, adopted:

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

Resolution No. 10220
Improve Bascom Ave.
Ordering Plans

Resolution No. 10220 directing the City Engineer to furnish plans and specifications for the improvement of Bascom Avenue, between Naglee Avenue and Davis Street, is read and upon motion of Councilman Santora, seconded by Councilman Foley, adopted:

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

Bascom Avenue
Resolution No. 10221
Adopting Plans

Resolution No. 10221 adopting plans and specifications for the improvement of Bascom Avenue, between Naglee Avenue and Davis Street, is read and upon motion of Councilman Santora, seconded by Councilman Starbird, adopted:

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

Michigan, Settle,
California, Hill &
Jansen Aves.
Resolution 10222
Ordering Plans

Resolution No. 10222 directing the City Engineer to furnish plans and specifications for the improvement of Michigan Avenue from Settle Avenue to Curtis Avenue, Settle Avenue from Minnesota Avenue to California

Avenue; California Avenue from Settle Avenue to Curtis Avenue; Hill Avenue from California Avenue to Willow Glen Way; and Jansen Avenue from Hill Avenue to Curtis Avenue, is read and upon motion of Councilman Foley, seconded by Councilman Santora, adopted:

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

Chain Link Fence
Airport
Resolution No. 10223
Adopting Plans

Resolution No. 10223 adopting plans and specifications for installation of chain link fence at San Jose Municipal Airport, is read and upon motion of Councilman Santora, seconded by Councilman Foley, adopted:

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

Resolution No. 10224
El Rancho Del Rey
Unit No. 1
Tract No. 1249
Approving Final Map

Resolution No. 10224 approving and accepting Final Map of Tract No. 1249, El Rancho Del Rey Unit No. 1, is presented and upon motion of Councilman Starbird, seconded by Councilman Foley, adopted:

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

Resolution No. 10225
El Rancho Del Rey
Unit #1, Tract 1249
Authorize Contract

Resolution No. 10225 approving and authorizing the execution of Contract with Stateside Development Co., for the improvement of Tract No. 1249, El Rancho Del Rey, Unit No. 1, is presented and upon motion of Councilman Foley, seconded by Councilman Starbird, adopted:

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

Resolution No. 10226
El Rancho Del Rey
Unit #1, Tract 1249
Fixing Curb Grades

Map showing official curb grades and position of curbs for Corte De Flores, Santa Margarita Avenue, Corte Del Arbol, San Andreas Avenue, San Joaquin Avenue, Santa Monica Avenue and portions of Foxworthy Avenue, Hillsdale Avenue and Jarvis Avenue, all in and adjacent to Tract No. 1249, El Rancho Del Rey, Unit No. 1, is presented. Resolution No. 10226 fixing official curb grades and positions of curbs for Corte De Flores, Santa Margarita Avenue, Corte Del Arbol, San Andreas Avenue, San Joaquin Avenue, Santa Monica Avenue and portions of Foxworthy Avenue, Hillsdale Avenue and Jarvis Avenue, all in and adjacent to Tract No. 1249, El Rancho Del Rey, Unit No. 1, is read and upon motion of Councilman Foley, seconded by

Councilman Santora, adopted:

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

El Rancho Del Rey
Unit #1, Tract 1249
Resolut.on No. 10227
Adopting Plans

Resolution No. 10227 adopting plans and specifications for the improvement of Corte De Flores, Santa Margarita Avenue, Corte Del Arbol, San Andreas Avenue, San Joaquin Avenue, Santa Monica Avenue, and portions of Foxworthy Avenue, Hillsdale Avenue and Jarvis Avenue, all in and adjacent to Tract No. 1249, is read and upon motion of Councilman Foley, seconded by Councilman Santora, adopted:

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

Alcoholic Beverage
Control Act

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

Adjourn

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

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

Adjourn

Council now adjourns at 12:00 o'clock Midnight.

Parker L. Hathaway
PARKER L. HATHAWAY.
Mayor

ATTEST *Dorothy Covill*
DOROTHY COVILL
City Clerk

Mailed: 2/25/58

Mailed 2/25/55

Monday

San Jose, California

March 29, 1954

The Council of the City of San Jose convenes this day in special session at 11:00 o'clock A.M., in the Council Chambers, City Hall, Market and San Antonio Streets, 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. Solarl, George Starbird, Fred Watson and Parker L. Hathaway, Mayor.

A special meeting of the Council of the City of San Jose is hereby called and will be held at 11:00 o'clock A.M., Monday, March 29, 1954, in the Council Chambers, City Hall, Market and San Antonio Streets, San Jose, California, for the purpose of considering, discussing and/or taking whatever action the Council may determine to be necessary, advisable or appropriate with respect to the proposed annexation to the City of San Jose, and with respect to any petition or petitions requesting the annexation to the City of San Jose, of all the territory situate in the County of Santa Clara, State of California, described as follows, to wit:

Beginning at the point of intersection of the City Limits line of the City of San Jose with the southerly side line of the Alviso-Milpitas Road, said portion of the southerly side line of the Alviso-Milpitas Road being also a portion of the southerly City Limits line of the City of Alviso; thence southeasterly along the said City Limits line of the City of San Jose to a point which is distant 220 feet, measured at right angles, from the said southerly side line of the Alviso-Milpitas Road; thence running North 90° East on a straight line directly to the point of intersection thereof with the southerly prolongation of a line distant 225 feet easterly from, and measured at right angles to, and parallel to the easterly side line of Zanker Road (formerly Zanker Lane) now 40 feet in width; thence northerly along a straight line directly to a point on the northerly line of the Alviso-Milpitas Road, as it now exists 66 feet in width, said point being distant 225 feet easterly measured at right angles from the easterly side line of Zanker Road as said road now exists 40 feet in width; thence northwesterly along a line parallel to said easterly side line of Zanker Road to the southerly line of that certain tract of land described as Parcel No. 2 in the deed from Eudora A. Marcen et al to John R. Watrous and Mabel G. Watrous, dated July 5, 1938 and recorded July 5, 1938 in the office of the aforesaid County Recorder in book 879 of Deeds, page 567, Santa Clara County records; thence easterly along the last mentioned line to the southeasterly corner of the last mentioned tract of land described as Parcel No. 2 in said deed from Eudora A. Marcen et al to John R. Watrous and Mabel G. Watrous; thence northerly along the boundary line of the last mentioned parcel of land as described in the last

mentioned deed from Eudora A. Marcen et al to John R. Watrous and Mabel G. Watrous to the westerly side line of Zanker Road or Lane; thence northwesterly along the westerly side line of Zanker Road or Lane to the southerly line of Los Esteros Road (50 feet in width); thence westerly along the southerly line of Los Esteros Road to the intersection thereof with the easterly line of the Town Limits of the Town of Alviso; thence southerly along the said easterly Town Limits line of the Town of Alviso to the northerly line of the subdivision shown on that certain map entitled "Map of the Subdivision of the Lands of William Zanker in the Berryessa Portion of the Rancho Rincon De Los Esteros", which map was recorded on December 31, 1894, in the Office of the County Recorder, County of Santa Clara, State of California, in Book F of Maps, page 35; thence easterly along the northerly line of the said subdivision of William Zanker hereinabove referred to, to the easterly line of Zanker Road (as it now exists 40.0 feet in width); thence southerly along the said easterly line of Zanker Road and along the southerly prolongation thereof to the southerly line of the Alviso-Milpitas Road (66 feet in width); thence westerly along the southerly line of the Alviso-Milpitas Road to the northwesterly corner of the 118.0 acre tract of land described in the Final Order and Decree of Condemnation, in the Superior Court of the State of California in and for the County of Santa Clara (Case No. 71166), The State of California acting by and through The State Public Works Board, Plaintiff vs. Paul S. Tarantino et al, Defendants, dated January 12, 1949, recorded January 12, 1949, in Book 1731 of Official Records, page 198, Santa Clara County records; thence southerly along the westerly line of the said 118.0 acre tract to a point on a line which bears South 89° 52' East from the point of beginning; thence running North 89° 52' West to the point of beginning.

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) A. P. Hamann
City Manager

March 26, 1954

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

Receipt is hereby acknowledged of "Notice Of Special Meeting", the same having been received at least six hours prior to 11:00 o'clock A.M., March 29, 1954.

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

Roll Call

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

Minutes

Councilman Starbird proposes and moves adoption of resolution that the Minutes of regular sessions of October 14, 26, 28, November 2, 9, 16, 18, 23, December 7, 14, 17, 21, 28, 30, 1953, January 4, 11, 18, 25, 27, February 1, 8, 15, 23, March 1, 8, 15 and 22, 1954, and special session of November 27, 1953, be deferred, seconded by Councilman Solari and adopted:

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

Annexation
North San Jose No. 3
(Uninhabited)

Petition of John R. Watrous and Mabel G. Watrous, requesting that pursuant to the provisions of the State Annexation of Uninhabited Territory Act of 1939, certain uninhabited territory described therein be annexed to the City of San Jose, with affidavit of John R. Watrous and Mabel G. Watrous attached, showing the assessment numbers and the number of acres of land as described and assessed in the last equalized assessment roll of Santa Clara County, situated in the territory proposed to be annexed and owned by said petitioners, is presented. Map entitled: "North San Jose No. 3" with 1) affidavit of Irving L. Ryder, Civil Engineer and Associate City Engineer of the City of San Jose, dated March 29, 1954, regarding the preparation of said map, knowledge of the boundaries of the territory that are shown thereon and as to the contiguity of said territory to the City of San Jose; 2) affidavit of Pearce Davies, Associate Planner, dated March 29, 1954, regarding the number of voters residing within the territory proposed to be annexed; 3) affidavit of Pearce Davies, Associate Planner, dated March 29, 1954, regarding the assessment numbers of land owned by petitioners in said territory proposed to be annexed, as shown on the last equalized assessment roll; 4) affidavit of Pearce Davies, Associate Planner, dated March 29, 1954, regarding the assessed valuation of said territory proposed to be annexed, and the assessed valuation of land owned by petitioners in said territory, all as shown on the last equalized assessment roll of Santa Clara County; and 5) affidavit of John W. Hamilton, Junior Civil Engineer, dated March 29, 1954, regarding the boundaries of the territory proposed to be annexed to the City of San Jose and that the lands owned by petitioners included within said territory, constitute more than one-fourth of all the land in said territory proposed to be annexed, attached thereto, are presented by Ferdinand P. Palla, Assistant City Attorney. Irving L. Ryder, Civil Engineer and Associate City Engineer, is called by the Assistant City Attorney, sworn and testifies in support of affidavit (1) as heretofore presented. John W. Hamilton, Junior Civil Engineer, is called by the Assistant City

Attorney, sworn and testifies in support of affidavit (5) as heretofore presented. Pearce Davies, Associate Planner, is called by the Assistant City Attorney, sworn and testifies in support of affidavits (2), (3) and (4) as heretofore presented. Affidavit (6) of Pearce Davies, Associate Planner, dated March 29, 1954, stating that the parcels of land described in the list attached thereto constitutes all of the real property situate within the boundaries of the 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 the territory proposed to be annexed as shown on the last equalized assessment roll of Santa Clara County, is presented and filed by Pearce Davies, Associate Planner. Communication (7) dated March 29, 1954, from the County Boundary Commission to A. P. Hamann, City Manager, stating that on March 22, 1954, said Commission unanimously voted to "Take No Action" on petition for proposed annexation to the City of San Jose of North San Jose No. 3 as filed with it on March 8, 1954, is presented by Pearce Davies, Associate Planner. C. C. Cottrell, Attorney at Law, appearing on behalf of Norman L. Meads, Norma Meads Graham and Jane Meads Cassin, urges that said proposed annexation be not approved. General discussion is had with Norman L. Meads, Norma Meads Graham, Mr. Holthouse, Antonio Gouvia and others participating. Resolution No. 10228, entitled: "Resolution Giving Notice Of Proposed Annexation To The City Of San Jose Of That Certain Uninhabited Territory Described Herein And Designated 'North San Jose No. 3' And Giving Notice Of The Time And Place For Hearing Of Protests Thereto", is presented by the Assistant City Attorney and upon motion of Councilman Solari, seconded by Councilman Starbird, adopted:

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

Adjourn

Councilman Starbird proposes and moves adoption of resolution that the Council adjourn, to meet again at 8:00 o'clock P.M., March 29, 1954, seconded by Councilman Watson and adopted:

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

Adjourn

Council now adjourns at 11:54 o'clock ^A.M.

Parker L. Hathaway
PARKER L. HATHAWAY
Mayor

Dorothy Covill
ATTEST: DOROTHY COVILL
City Clerk

Mailed 2-25-55

Monday San Jose, California March 29, 1954

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

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

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

Invocation Invocation is given by Reverend George R. Flora.

Minutes Councilman Starbird proposes and moves adoption of resolution that consideration of the Minutes of regular sessions of October 14, 16, 28, November 2, 9, 16, 18, 23, 27, December 7, 14, 17, 21, 28, 30, 1953, January 4, 11, 18, 25, 27, February 1, 8, 15, 23, March 1, 8, 15, 22, and 11 a.m. March 29, 1954, be deferred, seconded by Councilman Solari and adopted:

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

Bids Clerk reports receipt of four sealed proposals or bids for
1/5 Fire Hydrants furnishing 45 - 42" fire hydrants. Councilman Starbird proposes and moves adoption of resolution that said sealed proposals or bids be opened, seconded by Councilman Foley and adopted:

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

Bids Clerk now opens said sealed proposals or bids.

Bidders	Item	Price
	45 - 42" Fire Hydrants	\$ Cts.
	Each	
Crane Co., Guarantee: certified #049057 check #3173 (11-8-1210) in amount of \$545.00		121.00
Pacific States Cast Iron Pipe Company, Guarantee: certified #13543 check #682 (97-19-1243) in amount of \$550.00		115.41
Rensselaer Valve Co., Guarantee: certified #189 check #3003 (90-1432-111) in amount of \$525.00		116.00
Tay-Holbrook, Inc., Guarantee: certified #37622 check #81726 (11-1-1210) in amount of \$55.00		118.58*

PLUS STATE SALES TAX

*Guarantee not in conformance with Notice to Bidders.

Bids
45 Fire Hydrants

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

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

Alum Rock Park
Gift Concession
Lease
Brunette, John P.

This being the time and place fixed for lease at public auction, The to the highest responsible bidder at the highest monthly rental of/Souvenir and Gift Concession at Alum Rock Park for a period of six months beginning May 1, 1954 upon the terms and conditions set forth in the "Notice Of Lease Of Concession In Alum Rock Park" dated March 15, 1954, on file in the office of the City Clerk, H. J. Flannery, City Engineer, invites bids. Charles Runner bids 15% of the gross receipts per month; John P. Brunette bids 30% of the gross receipts per month. No further bid is heard, whereupon bidding is closed. Councilman Foley proposes and moves adoption of resolution that said bid of John P. Brunette be declared the highest responsible bid for the lease of said Souvenir and Gift Concession, and that said bid be accepted, seconded by Councilman Solari and adopted:

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

Ordinance No. 4346
Leasing Gift
Concession
Brunette, John P.

Ordinance No. 4346, entitled: "An Ordinance Of The City Of San Jose Leasing The Exclusive Right, Privilege And Concession Known As The Souvenir And Gift Shop Concession In Alum Rock Park To John P. Brunette In Accordance With And Subject To The Terms And Conditions Of That Certain Agreement Of Lease On File In The Office Of The City Clerk, Which Agreement Grants Said Exclusive Right, Privilege And Concession For The Period From The 1st Day Of May, 1954, To The 31st Day Of October, 1954", is read and upon motion of Councilman Foley, seconded by Councilman Solari, passed to print:

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

Lincoln Ave.
Hearing Closed

This being the time and place fixed when and where any and all persons having any objections to the proposed improvement of Lincoln Avenue between Minnesota Avenue and Los Gatos Creek, or against the district to be assessed for the cost and expense thereof, or against the grades at which said work shall be done, may appear and be heard, City Clerk reports that no written protests to said proposed improvement 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 Foley and adopted:

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

Lincoln Ave.
Resolution No. 10229
Ordering Improvement

Resolution No. 10229 ordering the improvement of Lincoln Avenue between Minnesota Avenue and Los Gatos Creek, is read and upon motion of Councilman Foley, seconded by Councilman Solari, adopted:

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

Cleveland Ave.
Hearing Closed

This being the time and place fixed when and where any and all persons having any objections to the proposed improvement of Cleveland Avenue between Forest Street and Trace Park Tract No. 64, or against the district to be assessed for the cost and expense thereof, or against the grades at which said work shall be done, may appear and be heard. City Clerk reports that no written protests to said work and improvements 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 Starbird and adopted:

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

Cleveland Ave.
Resolution No. 10230
Ordering Improvement

Resolution No. 10230 ordering the improvement of a portion of Cleveland Avenue between the northerly property line of Forest Street and the southerly line of Trace Park Tract No. 64, is read and upon motion of Councilman Foley, seconded by Councilman Solari, adopted:

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

Mission St.
Hearing Closed

This being the time and place fixed when and where any and all persons having any objections to the proposed improvement of Mission Street between the easterly property line of 12th Street and the westerly property line of 13th Street, or against the district to be assessed for the cost and expense thereof, or against the grades at which said work shall be done, may appear and be heard. City Clerk reports that no written protests to said work and improvement 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, Solari, Starbird and Doerr.
Noes: Councilmen - None.
Absent: Councilmen - Santora, Watson and Hathaway.

Mission St.
Resolution No. 10231
Ordering Improvement

Resolution No. 10231 ordering the improvement of Mission Street between the easterly property line of 12th Street and the westerly property line of 13th Street, is read and upon motion of Councilman Starbird, seconded by Councilman Solari, adopted:

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

Pascoe Ave. Improvement
Hearing Closed

This being the time and place fixed when and where any and all persons having any objections to the proposed improvement of Pascoe Avenue between Lincoln Avenue and Cimino Bros. Subdivision, Tract No. 283, or against the district to be assessed for the cost and expense thereof, or against the grades at which said work shall be done, may appear and be heard, City Clerk reports that no written protests to said work and improvement 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 Foley and adopted:

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

Pascoe Ave.
Resolution No. 10232
Ordering Improvement

Resolution No. 10232, ordering the improvement of portions of Pascoe Avenue between the center line of Lincoln Avenue and the westerly line of Cimino Bros. Subdivision, Tract No. 283, is read and upon motion of Councilman Starbird, seconded by Councilman Foley, adopted:

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

Proposed Sale of
Pueblo Lands
John Stock Trust
Hearing Closed

This being the time and place designated for consideration of the application of The John Stock Trust, Frank Marten, B. L. Marten and Louis Berg Marten, Trustees, for the purchase of Pueblo Lands, as described in "Notice Of Application For The Purchase Of City Lands", dated February 3, 1954, on file in the Office of the City Clerk, Robert E. Cassin, City Attorney, recommends that said application be granted. Councilman Foley proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Solari, and adopted:

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

Ordinance No. 4347
Pueblo Lands
Sale to John Stock
Trust

Ordinance No. 4347, entitled: "Ordinance Of The City Of San Jose Authorizing The Quit Claiming Of Certain Pueblo Lands By Said City To The Trustees Of The John Stock Trust", is read and upon motion of Councilman Starbird, seconded by Councilman Solari, passed to print:

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

Final Zoning
SWG No. 18
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 annexed area known as "South Willow Glen No. 18", Robert E. Cassin, City Attorney, advises that there was a printer's error in the description of the Notice of Public Hearing when it published and recommends and Councilman Starbird proposes and moves adoption of resolution that said public hearing be abandoned and a new date be fixed for public hearing, seconded by Councilman Foley and adopted:

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

Resolution No. 10233
Final Zoning Hearing
SWG No. 18

Resolution No. 10233 directing that 8:00 o'clock P.M., April 19, 1954, Council Chambers, City Hall, be fixed as time and place for public hearing on final report of the City Planning Commission on zoning annexed area known as "South Willow Glen No. 18", and providing for notice thereof, is read and upon motion of Councilman Starbird, seconded by Councilman Foley, adopted:

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

Religious Meetings
SW Post & Market Sts.

Request of the 1st Latin American Assembly of God Church of San Jose for a permit to conduct religious services at the SW corner of Post and Market Streets on Sunday afternoons between 3:00 and 3:45 o'clock P.M., heretofore referred to and approved by the Chief of Police, is presented. Councilman Solari proposes and moves adoption of resolution that said request be granted, seconded by Councilman Starbird and adopted:

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

Puncture Sealing
Tube Push Cart
Demonstrator
Permit

Application of the General Tire and Rubber Company for permit to allow a live model to push a small wagon on sidewalks with Puncture Sealing Tube Demonstrator mounted thereon for a promotional test on Puncture Sealing Tubes, from 9:00 o'clock A.M. to 4:00 o'clock P.M. March 30 through April 2, 1954, is read and reported in proper form. Councilman Starbird proposes and moves adoption of resolution that said permit be granted, subject to correction of insurance policy showing the City of San Jose as a named assured for all the limits, seconded by Councilman Solari and adopted:

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

Outside Sewer Connections
S. 7th St. South of
Phelan Ave.

Communication from the Mayfair Packing Company, dated March 25, 1954, advising that it proposes to construct a main sewer line on S. 7th Street, within County Sanitation District No. 3, from Phelan Avenue to a point approximately 3,338' southerly thereof, and inasmuch as other property owners on said portion of S. 7th Street will assist in the financing of

said sewer line, that approval be given for outside sewer connections for all of said property on S. 7th Street as described, and communication from Mark Thomas & Co., dated March 25, 1954, in support of said request, are read. Robert E. Cassin, City Attorney recommends, and Councilman Starbird proposes and moves adoption of resolution that said request be referred to the City Manager and the City Attorney for consideration and report, seconded by Councilman Solari, and adopted:

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

Complaint On
Condition of
Newport Ave.

Communication from T. H. Nichols, 2180 Newport Avenue, dated March 24, 1954, complaining of the condition of Newport Avenue between Curtner Avenue and 2180 Newport Avenue, is read. Councilman Foley proposes and moves adoption of resolution that said communication be referred to the City Engineer for consideration and report, seconded by Councilman Solari and adopted:

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

Proposed Ordinance
Regulation of
Photographers

Communication from the Photographers Association of Santa Clara Valley, dated March 16, 1954, supporting the adoption of proposed ordinance presented on March 22, 1954 by the Better Business Bureau, regulating and licensing photographers in San Jose, is read and by unanimous consent said communication is filed.

Terminate
Contract With
Co. Sanitation
District No. 8

Notification from County Sanitation District No. 8 terminating with County Sanitation District No. 8, entered into on January 19, 1953, for use of City's Outfall Sewer, effective April 19, 1954, is read and by unanimous consent said notification is filed.

Claim for Damages
Sugden, Harold M.

Claim of Harold M. Sugden for alleged injuries and damages in amount of \$25,000 resulting from motorcycle accident on March 2, 1954 on Curtner Avenue is presented. Councilman Foley 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 - Foley, Solari, Starbird and Doerr.
Noes: Councilmen - None.
Absent: Councilmen - Santora, Watson and Hathaway.