

COUNCIL MINUTES

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JUNE 28, 1954 - JULY 19, 1954

Items	Nick Bebek Price \$ Cts.	Kevry Con- struction Co., Inc. Price \$ Cts.	McGuire And Hester Price \$ Cts.	P. And E., Inc. Price \$ Cts.	A.J. Peters & Son Price \$ Ctr.	Pisano Bros. Price \$ Cts.
362 lin.ft. 10" vitrified clay pipe, standard strength, in place, per lin.ft.	4.00	3.60	4.75	3.59	3.96	3.75
5,893 lin.ft. 8" vitri- fied clay pipe, standard strength, in place, per lin. ft.	3.00	3.10	3.35	3.04	2.72	3.10
14,650 lin.ft. 6" vi- trified clay pipe, standard strength, in place, per lin. ft.	2.50	2.70	2.80	2.78	2.47	3.00
67 standard clay brick manholes com- plete with covers and rings in place, each	250.00	185.00	180.00	180.00	195.00	250.00
12 standard flush- ing inlets complete with covers and rings, in place, each	60.00	50.00	50.00	40.00	50.00	150.00
5,252 lin.ft. 4" vitrified clay pipe house sewer laterals in place, per lin.ft.	2.25	2.50	2.00	2.37	2.31	3.00
307 lin.ft. 4" cast iron soil pipe house sewer lateral in place, per lin.ft.	3.50	3.41	3.00	2.99	2.99	4.00
188 lin.ft. 21" corru- gated metal pipe com- plete in place with sand backfill, per. lin. ft.	30.00	25.00	20.00	17.32	31.00	40.00
20 lin.ft. 18" corru- gated metal pipe, com- plete in place with sand backfill, per lin.ft.	29.00	25.00	20.00	20.61	26.00	30.00
76 lin.ft. 15" corru- gated metal pipe complete in place, with sand back- fill, per lin. ft.	28.00	24.00	18.00	16.46	18.00	20.00
1 clay brick and rein- forced concrete manhole and structure complete in place, per lump sum	500.00	350.00	560.00	420.00	500.00	1000.00
1,590 lin.ft. 8" plain concrete pipe, standard strength, inlet laterals in place, per lin.ft.	5.00	3.10	3.30	3.20	3.43	3.00

Items	Nick Bebek	Kevry Con- struction Co., Inc.	McGuire And Hester	P. And E., Inc.	A.J. Peters & Son	Pisano Bros.
	Price \$ Cts.	Price \$ Cts.	Price \$ Cts.	Price \$ Cts.	Price \$ Cts.	Price \$ Cts.
275 lin.ft. 8" plain concrete pipe, standard strength, in place, per lin.ft.	4.00	2.90	3.50	3.20	3.39	3.00
1,841 lin.ft. 10" plain concrete pipe, standard strength, in place, per lin. ft.	4.75	3.00	3.25	3.20	3.80	4.00
289 lin.ft. 12" plain concrete pipe, standard strength, in place, per lin. ft.	5.00	3.15	4.50	3.40	4.04	5.00
1,897 lin.ft. 15" re- inforced concrete pipe, standard strength, in place, per lin. ft.	5.25	3.97	4.85	5.21	5.15	6.00
561 lin.ft. 18" rein- forced concrete pipe, standard strength, in place, per lin. ft.	5.50	5.05	6.55	6.02	5.94	7.00
1,686 lin.ft. 21" reinforced concrete pipe, standard strength, in place, per lin. ft.	7.00	6.83	6.05	7.45	6.94	8.00
1,134 lin.ft. 24" rein- forced concrete pipe, standard strength, in place, per lin. ft.	8.50	6.75	8.25	8.14	9.20	10.00
838 lin.ft. 27" rein- forced concrete pipe, standard and extra strength, in place, per lin. ft.	9.00	8.49	15.15	10.55	10.64	12.00
458 lin.ft. 30" rein- forced concrete pipe, standard strength, in place, per lin. ft.	10.00	11.34	12.75	11.04	11.19	15.00
831 lin.ft. 33" rein- forced concrete pipe, standard & extra strength, in place, per lin. ft.	12.00	14.20	16.30	12.22	12.22	25.00
1,488 lin. ft. 36" reinforced concrete pipe, standard stren- th, in place, per lin. ft.	13.30	11.60	12.00	13.54	14.17	30.00

Items Approximate Quantity	Nick Bebek	Keyry Con- struction Co., Inc.	McGuire and Hester	P. And E., Inc.	A. J. Peters & Son	Pisano Bros.
	Price \$ Cts.	Price \$ Cts.	Price \$ Cts.	Price \$ Cts.	Price \$ Cts.	Price \$ Cts.
648 lin.ft. 42" reinforced concrete pipe, standard & extra strength, in place, per lin.ft.	15.00	15.50	14.40	16.18	17.29	35.00
38 standard clay brick manholes, com- plete with covers & rings, in place, each	250.00	185.00	220.00	221.00	250.00	300.00
3 Type "A" clay brick manholes complete with covers & rings, in place, each	300.00	200.00	500.00	350.00	388.00	400.00
2 Type "B" brick manholes complete with 3'-7" covers & rings, in place, each	500.00	350.00	1700.00	450.00	450.00	500.00
44 standard concrete inlet structures com- plete with frames, grates & hoods in place, each	150.00	133.00	180.00	105.00	140.00	150.00
46 lin.ft. 36" corrugated metal pipe, No. 10 gauge, bored and jacked into position, with pressure grouted concrete in place, per lin. ft.	40.00	58.00	45.00	40.00	58.00	80.00
77 lin.ft. 42" corru- gated metal pipe, No. 10 gauge, bored & jacked into position, and with pressure grou- ted concrete in place, per lin.ft.	55.00	50.00	50.00	42.00	61.00	88.00
17 lin.ft. 54" corru- gated metal pipe, No. 8 gauge, bored and jacked into position with pressure grouted concrete in place, per lin. ft.	60.00	92.00	60.00	85.00	74.00	100.00
GRAND TOTAL	\$247,962.90	\$228,609.16	\$248,291.45	\$235,369.01	\$242,769.01	\$324,244.30

Guarantee: Nick Bebek - bid bond of Great American Indemnity Company in amount of 10% of bid, not to exceed \$30,000.00; Kevry Construction Co., Inc. - bid bond of United States Fidelity & Guarantee Company in amount of 10% of bid; McGuire and Hester - bid bond of The Fidelity and Casualty Company in amount of 10% of bid; P. and E., Inc. - Bid bond of United Pacific Insurance Company in amount of 10% of bid; A. J. Peters & Son - bid bond of The United Pacific Insurance Company in amount of 10% of bid; Pisano Bros. - bid bond of The Phoenix Insurance Company in amount of 10% of bid, not to exceed \$350,000.00.

Bids
Orchard Nos. 2, 5 & 8
Sanitary &
Storm Sewers

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

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

Bids
Improve
Major City Streets

Clerk reports receipt of three sealed proposals or bids for the resurfacing of First Street, Fourth Street, Seventeenth Street, Thirteenth Street, Stockton Avenue, Major City Street Project 151. Councilman Starbird proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Watson and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Approximate Quantity	Items	Bidders		
		Leo F. Piazza Paving Co. Price \$ Cts.	A. J. Raisch Paving Company Price \$ Cts.	Geo. C. Renz Construction Co., Inc. Price \$ Cts.
7,080 tons	Type "B" asphalt concrete surface course in place, per ton	4.03	4.35	5.15
56 tons	Type "C" asphalt concrete surface course in place, per ton	23.77	17.00	10.00
76 tons	asphaltic emulsion in place, per ton	46.99	30.00	36.00
104	manholes reset to grade, each	17.10	19.00	22.50
29	monument boxes reset to grade or set, each	9.12	14.00	10.00
24 hrs.	burner planer work, per hour	46.74	80.00	45.00
	Total	\$36,599.40	\$38,332.00	\$43,468.00

Guarantee: Leo F. Piazza Paving Co. - bid bond of Hartford Accident & Indemnity Company in amount of 10% of bid; A. J. Raisch Paving Company - bid bond of Pacific Indemnity Company in amount of 10% of bid; Geo. C. Renz Construction Co., Inc. - bid bond of United Pacific Insurance Co. in amount of 10% of bid.

Bids
Improve
Major City Streets

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 Starbird and adopted:

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

Bids
Improve
Cottle Ave.
Malone-Clark Way

Clerk reports receipt of three sealed proposals or bids for the improvement of portions of Cottle Avenue from the center line of Malone Road to the center line of Clark Way. Councilman Starbird proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Watson and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Items	Bidders		
	Leo F. Piazza Paving Co.	A. J. Raisch Paving Company	Geo. C. Renz Construction Co., Inc.
	Price \$ Cts.	Price \$ Cts.	Price \$ Cts.
4,221 sq. ft. paving, per sq. ft.	0.23	0.34	0.40
Estimated Total	\$970.83	\$1,435.14	\$1,688.40

Guarantee: Leo F. Piazza Paving Co. - bid bond of Hartford Accident & Indemnity Company in amount of 10% of bid; A. J. Raisch Paving Company - bid bond of Pacific Indemnity Company in amount of 10% of bid; Geo. C. Renz Construction Co., Inc. - bid bond of United Pacific Insurance Co. in amount of 10% of bid.

Bids
Improve
Cottle Ave.
Malone-Clark Way

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

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

Bids
Improve
Cleveland Ave.
Forest-Trace Pk. Tr.

Clerk reports receipt of three sealed proposals or bids for improvement of portions of Cleveland Avenue between the northerly property line of Forest Street and the southwesterly line of Trace Park Tract No. 64. Councilman Watson proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Starbird and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Approximate Quantity	Items	Bidders		
		Leo F. Piazza Paving Co.	A. J. Raisch Paving Company	Geo. C. Renz Construction Co., Inc.
		Price	Price	Price
		\$ Cts.	\$ Cts.	\$ Cts.
5,114 sq. ft.	asphaltic concrete pavement per sq. ft.	0.36	0.33	0.38
141 lin. ft.	portland cement con- crete curb & gutter (combined) per lin. ft.	1.80	2.00	1.85

Guarantee: Leo F. Piazza Paving Co. - bid bond of Hartford Accident & Indemnity Company in amount of 10% of bid; A. J. Raisch Paving Company - bid bond of Pacific Indemnity Company in amount of 10% of bid; Geo. C. Renz Construction Co., Inc. - bid bond of United Pacific Insurance Co. in amount of 10% of bid.

Bids
Improve
Cleveland Ave.
Forest - Trace Pk. Tr.

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

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

Bids
Improve Dana Ave.
Hester-Calaveras Aves.

Clerk reports receipt of three sealed proposals or bids for 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. Councilman Starbird proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Watson, and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Approximate Quantity	Items	Leo F. Piazza Paving Co. Price \$ Cts.	A.J. Raisch Paving Company Price \$ Cts.	Geo. C. Renz Construction Co., Inc. Price \$ Cts.
9,594 sq. ft.	asphaltic concrete pavement, per sq. ft.	0.26	0.24	0.25
530 sq. ft.	portland cement con- crete curb & gutter (combined) per lin. ft.	2.00	1.70	1.60
130 sq. ft.	portland cement side- walk, per sq. ft.	0.44	0.45	0.35
	Estimated Total	\$3,611.64	\$3,262.06	\$3,292.00

Guarantee: Leo F. Piazza Paving Co. - bid bond of Hartford Accident & Indemnity Company in amount of 10% of bid; A. J. Raisch Paving Company - bid bond of Pacific Indemnity Company in amount of 10% of bid; Geo. C. Renz Construction Co., Inc. - bid bond of United Pacific Insurance Co. in amount of 10% of bid.

Bids

Improve Dana Ave.

Hester-Calaveras Aves.

Councilman Starbird proposes and moves adoption of resolution

that said proposals or bids be referred to the City Engineer for consideration and report, seconded by Councilman Watson and adopted:

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

Bids

Improve

Michigan Ave. Et Al

Clerk reports receipt of four sealed proposals or bids for the improvement of Michigan Avenue, Settle Avenue, California Avenue, Hill

Avenue and Jansen Avenue. Councilman Starbird proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Watson and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Estimated
Quantity

Bidders

Items	Donald F. Graves Price \$ Cts.	Leo F. Piazza Paving Co. Price \$ Cts.	A.J. Raisch Paving Company Price \$ Cts.	Geo. C. Renz Construction Co., Inc. Price \$ Cts.
94,080 sq. ft. paving, per sq. ft.	0.20	0.165	0.207	0.225
12,346 sq. ft. P.C.G. gutter, per sq. ft.	0.50	0.44	0.45	0.50
974 sq. ft. driveway approach resurfacing, per sq. ft.	0.60	0.15	0.12	0.22

Guarantee: Donald F. Graves - bid bond of The Phoenix Insurance Company of Hartford, Connecticut in amount of 10% of bid, not to exceed \$25,573.40; Leo F. Piazza Paving Co. - bid bond of Hartford Accident & Indemnity Company in amount of 10% of bid; A.J. Ralsch Paving Company - bid bond of Pacific Indemnity Company in amount of 10% of bid; Geo. C. Renz Construction Co., Inc. - Bid bond of United Pacific Insurance Co. in amount of 10% of bid.

Bids
Improve
Michigan Ave. Et Al Councilman Starbird proposes and moves adoption of resolution that said proposals or bids be referred to the City Engineer for consideration and report, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Doerr, Foley, Starbird, Watson
and Hathaway.

Noes: Councilmen - None.

Absent: Councilmen - Santora and Solari.

Proposed Rezoning
N. 4th St. - E. Side
Younger to Burton Aves purpose of considering and discussing the proposed rezoning from R-2

This being the time and place fixed for public hearing for the Residence District, all or a part of real property fronting on the E. side of N. 4th Street beginning at a point 377' N. of the intersection thereof with the northerly line of Younger Avenue and continuing northerly to the direct easterly prolongation of the S. line of Burton Avenue, having a depth of 150.74', to C-1 Commercial District, City Clerk reports that no protests to said proposed rezoning 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 Watson, and adopted:

Ayes: Councilmen - Doerr, Foley, Starbird, Watson
and Hathaway.

Noes: Councilmen - None.

Absent: Councilmen - Santora and Solari.

Ordinance No. 4418
Rezoning E. Side
N. 4th St.

Ordinance No. 4418, entitled: "An Ordinance Amending The San Jose Municipal Code, By Adding A New Section Thereto To Be Numbered 9102.44z16, Rezoning The East Side Of North Fourth Street, Between Younger Avenue And The Prolongation Of Burton Avenue", is read and upon motion of Councilman Starbird, seconded by Councilman Watson, passed to print:

Ayes: Councilmen - Doerr, Foley, Starbird, Watson
and Hathaway.

Noes: Councilmen - None.

Absent: Councilmen - Santora and Solari.

Nominations
City Planning Commission

Nominations are now declared in order for the office of Member, City Planning Commission, two to be appointed for a four-year term, vice Lawrence A. Appleton and Roy M. Butcher, terms expired. Councilman Watson

nominates Lawrence A. Appleton and Roy M. Butcher, and nomination is seconded by Councilman Starbird. No further nomination being heard, nomination is closed. Councilman Watson proposes and moves adoption of resolution that Lawrence A. Appleton and Roy M. Butcher, be declared appointed to the office of Member, City Planning Commission, four-year term ending June 30, 1958, seconded by Councilman Starbird, and adopted:

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

Wage Scale
Carpenters

Notification from the Santa Clara Valley District Council of Carpenters of certain changes in its hourly wage scale, is read and by unanimous consent, filed.

Complaint
Condition of House
676 S. 9th St.

Petition of Wm. MacDonald and others, complaining of the condition of house and premises at 676 S. 9th Street, and to the number of occupants therein, is presented. Councilman Starbird proposes and moves adoption of resolution that said complaint be referred to the City Attorney for discretionary action, seconded by Councilman Watson, and adopted:

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

Religious Street
Meetings

Request of the Latin American Assembly of God Church, for a permit to conduct religious meetings on the NW corner of San Augustine Street and Market Street each Sunday from 3:00 to 4:00 o'clock P.M. beginning July 4, 1954, is read and reported in proper form. Councilman Starbird proposes and moves adoption of resolution that said permit be granted, seconded by Councilman Foley, and adopted:

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

Fireworks Permit
Fourth Of July

Application of the Atlas Fireworks Co. Inc., for a permit to conduct a public display of fireworks on July 4, 1954, at Spartan Stadium, heretofore approved by W. L. Ogden, Chief, Fire Prevention Bureau, with insurance certificates attached, is presented and reported in proper form. Councilman Watson proposes and moves adoption of resolution that said permit be approved, seconded by Councilman Starbird, and adopted:

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

Directional Sign
W. G. Methodist Church

Request of the Willow Glen Methodist Church for permission to place a directional sign at either the northwest or northeast corner of Lincoln and Minnesota Avenues, is read. Councilman Watson proposes and moves adoption of resolution that said request be referred to the City Planning Commission for report and recommendation pursuant to Section 94 of the Charter, seconded by Councilman Foley, and adopted:

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

Salaries

Communication from the Cooperative Personnel Services, California State Personnel Board, dated June 18, 1954 recommending changes in salaries of certain classifications resulting from the review by the Civil Service Commission, of appeals and requests for reclassification of city employees, is read. Councilman Starbird proposes and moves adoption of resolution that said recommendation be referred to the Committee of the Whole for consideration and report, seconded by Councilman Watson and adopted:

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

Proposed Amendment
Resolution No. 10392
Spur Tracks

Communication from the Western Pacific Railroad Company requesting amendment to Resolution No. 10392, adopted June 1, 1954, which granted a revocable permit to construct and operate two spur tracks across Auzerais Avenue, by deleting the requirement for installing flood lights, is read. Councilman Watson proposes and moves adoption of resolution that said request be referred to the City Attorney, the City Engineer and the Director of Planning, for consideration and report, seconded by Councilman Starbird, and adopted:

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

Claims For Injuries

Claims of Ellen Peterson in amount of \$15,000.00 for alleged injuries received on April 24, 1954 in Alum Rock Park; Ann J. Federico

in amount of \$100,000.00 for alleged wrongful death of Samuel A. Federico, and in the amount of \$10,000.00 for alleged damages occurring on April 1, 1954 at or near the San Jose Municipal Airport, are presented. Councilman Watson proposes and moves adoption of resolution that said claims be referred to the City Attorney for consideration, seconded by Councilman Starbird, and adopted:

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

Orchard No. 10
Annexation

Petition of T. A. Minardi and A. R. Calvelli, requesting that pursuant to the Annexation of Uninhabited Territory Act of 1939, certain territory described therein and designated as "Orchard No. 10" be annexed to the City of San Jose, is presented. Robert E. Cassin, City Attorney, recommends and Councilman Starbird proposes and moves adoption of resolution that said petition be deferred to July 6, 1954 to permit checking for sufficiency, seconded by Councilman Watson, and adopted:

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

Proposed Lease
264 Spencer Ave.

John De Heras, D.C., President of the Latin American Youth Center of San Jose, presents and files request to lease the city-owned property at 264 Spencer Avenue for \$1.00 per year to be used as club center and headquarters for said Latin American Youth Center. H. J. Flannery, City Engineer, reports that the City Manager will present a report on the leasing of said property, whereupon said request is filed.

Ordinance No. 4402
Official Plan Lines
N. 1st St.

Ordinance No. 4402, entitled: "Ordinance Of The City Of San Jose Amending Chapter 1 Of Article VII Of The San Jose Municipal Code By Adding Thereto A New Section, No. 7104.44, Establishing Official Plan Lines For North First Street Between Bayshore Highway And Proposed Route 5 Freeway", passed to print June 7, 1954, is given final reading and upon motion of Councilman Starbird, seconded by Councilman Foley, adopted:

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

Ordinance No. 4403
Authorize Purchase
Watrous Property

Ordinance No. 4403, entitled: "An Ordinance Of The City Of San Jose Finding And Determining That Certain Described Real Property Is Needed By The City Of San Jose For Municipal Purposes; Authorizing The Mayor And City Manager To Purchase Said Real Property On Behalf Of The City Of San Jose From John R. And Mabel G. Watrous; Authorizing And Directing The Mayor And City Manager To Enter Into And Execute An Agreement Of Purchase With Said Parties For Said Real Property; Setting Forth The Terms And Conditions Of Said Agreement; Appropriating The Sum Of \$100,250.00 From The 1950 Sewage Treatment Bond Fund; And Authorizing The City Manager And City Auditor To Pay The Purchase Price Of Said Real Property In Accordance With The Terms And Conditions Of Said Agreement", passed to print June 7, 1954, is given final reading and upon motion of Councilman Starbird, seconded by Councilman Watson, adopted:

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

Ordinance No. 4411
Salary Increases
City Manager &
City Clerk

Ordinance No. 4411, entitled: "An Ordinance Of The City Of San Jose Repealing Sections 5.1 and 5.12 Of Ordinance No. 4370 Entitled: 'An Ordinance Of The City Of San Jose Fixing And Defining The Salary Ranges For Classes, Offices, And Positions Of Employment In The City Government In The City Of San Jose Effective On And After May 1, 1954, And Repealing Ordinance No. 4096 And All Other Ordinances And Parts Of Ordinances Not Adopted By Vote Of The People In Conflict Herewith'; Providing For An Increase In Salary To The City Manager And City Clerk; Providing That The Effective Date Hereof Be June 14, 1954; And Repealing All Other Ordinances And Parts Of Ordinances Not Adopted By Vote Of The People In Conflict Herewith", passed to print June 14, 1954, is given final reading and upon motion of Councilman Starbird, seconded by Councilman Watson, adopted:

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

Ordinance No. 4412
Lease Of City-Owned
Properties

Ordinance No. 4412, entitled: "An Ordinance Of The City Of San Jose Leasing Certain Properties Of The City, Herein Described, Which Is Not Needed For Nor Adaptable To Municipal Purposes, To The Highest Responsible Bidder Therefor", passed to print June 21, 1954, is given final

reading and upon motion of Councilman Starbird, seconded by Councilman Watson, adopted:

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

Ordinance No. 4413
Annexing
Cambrian No. 1

Ordinance No. 4413, entitled: "An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain Uninhabited Territory Designated As 'Cambrian No. 1' And Herein Described, And Herein Annexing Said Territory To Said City Of San Jose", passed to print June 21, 1954, is given final reading and upon motion of Councilman Starbird, seconded by Councilman Foley, adopted:

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

Ordinance No. 4414
Purchase Property
(Coffe)

Ordinance No. 4414, entitled: "An Ordinance Authorizing The Mayor And City Manager To Purchase A Certain Described Parcel Of Real Property For Municipal Purposes, From Maris L. Coffe; To Deposit In Escrow And Pay The Purchase Price Of Said Parcel Of Real Property And To Pay Necessary Recording, Stamp Tax, Escrow, Title Search And Such Other Fees And Expenses As Are Necessarily Incurred In Connection With Said Purchase; And Appropriating The Sum Of \$9,250.00 From The Special Gas Tax Street Improvement Fund", passed to print June 21, 1954, is given final reading and upon motion of Councilman Starbird, seconded by Councilman Watson, adopted:

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

Ordinance No. 4415
San Jose Sewer Fund

Ordinance No. 4415, entitled: "An Ordinance Amending Section 2700.58 Of The San Jose Municipal Code Establishing A Sewer Fund", passed to print June 21, 1954, is given final reading and upon motion of Councilman Starbird, seconded by Councilman Watson, adopted:

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

Ordinance No. 4416
Payment To Counsel
(Elmer D. Jensen)

Ordinance No. 4416, entitled: "An Ordinance Authorizing The Expenditure Of Eight Hundred Dollars (\$800.00) From The General Fund

Judgment And Losses Account For The Payment Of Professional Services",
passed to print June 21, 1954, is given final reading and upon motion
of Councilman Starbird, seconded by Councilman Watson, adopted:

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

Ordinance No. 4417
No Parking
Certain Streets

Ordinance No. 4417, entitled: "An Ordinance Of The City Of San
Jose Amending Section 3312.6A Of Part 12 Of Chapter 3 Of Article III Of
The San Jose Municipal Code, Relating To Stopping, Standing Or Parking
Restrictions On Certain Streets, By Designating The North Side Of Park
Avenue Between Ranier Street And A Point 78 Feet East Of Race Street As
An Additional No Parking Area Between 4:00 P.M. And 6:00 P.M., Sundays
And Holidays Excepted", passed to print June 21, 1954, is given final
reading and upon motion of Councilman Starbird, seconded by Councilman
Foley, adopted:

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

Traffic Citations
Award

H. J. Flannery, City Engineer, presents and files report of
the Purchasing Agent that the bid of Moore Business Forms, Inc., for
125,000 traffic citations, at the price named in its bid opened June
21, 1954, is the lowest responsible bid for said supplies and recommends
that said bid be accepted. Councilman Watson proposes and moves adoption
of resolution that said bid of Moore Business Forms, Inc., be accepted,
contract be awarded for furnishing said supplies and all other bids be
rejected, seconded by Councilman Starbird, and adopted:

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

Display Auto

As deferred from June 21, 1954, the Council now considers the
application of the Santa Clara County Youth Boosters Club for permission
to exhibit an automobile on a truck at various downtown locations, and
to place sidewalk booths at five downtown locations beginning as soon as
possible and ending July 16, 1954. Councilman Foley proposes and moves
adoption of resolution that said request be granted subject to the filing

of public liability and property damage insurance in amounts and form satisfactory to the City Attorney and obtaining parking meter hood from the Police Department, seconded by Councilman Watson, and adopted:

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

Resolution No. 10449
Jansen Ave.
Bird - Curtiss Aves.
Ordering Plans

As deferred from June 21, 1954, the Council now considers the proposed improvement of Jansen Avenue between Bird Avenue and Curtiss Avenue. General discussion is had with H. J. Flannery, City Engineer and Henry C. Robidoux, Attorney at Law, relative to not installing sidewalk in front of orchard property on said street. Resolution No. 10449 directing the preparation of plans and specifications and a map showing proposed boundaries of district to be assessed for the improvement of portions of Jansen Avenue between Bird Avenue and Curtiss Avenue, is presented by the City Engineer, and upon motion of Councilman Watson, seconded by Councilman Starbird, adopted:

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

Complaint
Lucky Stores, Inc.
Burning

As deferred from June 21, 1954, the Council now considers the complaint of Florence Rhodes, and others, of nuisance caused by burning rubbish, etc. at Lucky Stores, Inc., 1140 Lincoln Avenue. William E. Watson, Attorney at Law, appears on behalf of Lucky Stores, Inc. Robert E. Cassin, City Attorney, advises on investigation of said complaint and reports that Lucky Stores, Inc. have endeavored to dispose of said rubbish in a satisfactory manner. Mr. Leonard, Mrs. Rose, and others advise on nuisance caused by said burning of rubbish. Councilman Doerr proposes and moves adoption of resolution that said complaint be referred to the Committee on Public Health and Safety, the Health Officer and the Fire Prevention Chief for investigation and report on July 12, 1954, seconded by Councilman Foley, and adopted:

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

Zoning Violation
V. Lippolis Drayage

As deferred from June 21, 1954, the Council now considers the protest presented June 7, 1954 to the operation of the V. Lippolis Drayage Co., 330 Keyes Street. John M. Burnett, Attorney at Law, appearing on behalf of V. Lippolis Drayage Co., advises of the operations of said company at said address and presents and files two photographs which are received and marked Exhibits "A" and "B". General discussion is had with Robert J. Costello, Assistant City Attorney and the Director of Planning participating. M. H. Antonacci, Director of Planning recommends and Councilman Starbird proposes and moves adoption of resolution that the feasibility of rezoning the N. and S. sides of Keyes Street between 1st Street and Senter Road be referred to the City Planning Commission for study and report, seconded by Councilman Watson and adopted:

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

Extension Of
Cherry Ave.

Recommendation of the City Planning Commission, pursuant to Section 94 of the Charter, that the parcel of land, being the southerly extension of Cherry Avenue from its present terminus southerly from Koch Lane as offered by Leo W. Ruth, Civil Engineer, on June 21, 1954 to be used for the extension of Cherry Avenue be accepted, is read. Councilman Starbird proposes and moves adoption of resolution that deed to said parcel of land be accepted, seconded by Councilman Watson, and adopted:

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

Proposed Purchase
12th & Martha Sts.

Recommendation of the City Planning Commission, as referred on June 7, 1954, that the certain property on the E. side of 12th Street, south of Martha Street, being Lots 1 to 5 inclusive, and a portion of Lot 6 of Block 68, Reed's Addition, be acquired through negotiation, for use as recreational area, is read. Councilman Starbird proposes and moves adoption of resolution that said recommendation be referred to the Committee of the Whole for consideration and report, seconded by Councilman Watson, and adopted:

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

Proposed Purchase
Ross Ave.

Recommendation of the City Planning Commission, as referred on June 21, 1954, that certain property located on the southwesterly side of Ross Avenue, southerly of Foxworthy Avenue, be acquired for use as a park site and recommending that said land be not used for location of a fire station, is read. Report and recommendation of the City Manager that said property be acquired for a park and fire station site, is presented and filed by the City Engineer. Councilman Starbird proposes and moves adoption of resolution that said recommendations be referred to the Committee of the Whole, for consideration and report, seconded by Councilman Foley, and adopted:

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

Rear Yard Adjustment
NE Johnston Ave.
& Malone Rd.

Resolution of the City Planning Commission, by authority of Section 9107.1 of the San Jose Municipal Code, granting rear yard adjustment to 5' at property on the NE. corner of Johnston Avenue and Malone Road, to permit construction of retail store building, in accordance with plot plan on file in the Building Department, 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, Starbird, Watson
and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora and Solari.

Rear Yard Adjustment
1510 Santa Monica Ave.

Resolution of the City Planning Commission, by authority of Section 9107.1 of the San Jose Municipal Code, granting rear yard adjustment to 18' 10" at 1510 Santa Monica Avenue to permit construction of dwelling as shown on plot plan on file in the Building Department, 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, Starbird, Watson
and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora and Solari.

Rear Yard Adjustment
SW San Andreas &
Santa Margarita Aves.

Resolution of the City Planning Commission, by authority of Section 9107.1 of the San Jose Municipal Code, granting rear yard adjustment to 13' to permit construction of dwelling with an attached garage

as shown on plot plan on file in the Building Department is read. Councilman Watson proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Starbird, and adopted:

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

Rear Yard Adjustment
NW San Joaquin &
Santa Margarita Aves.

Resolution of the City Planning Commission, by authority of Section 9107.1 of the San Jose Municipal Code, granting rear yard adjustment to 13' to permit construction of dwelling with an attached garage as shown on plot plan on file in the Building Department, 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, Starbird, Watson
and Hathaway.
Noes: Councilmen - None.
Absent: Councilmen - Santora and Solari.

Monterey Park No. 1
Zoning

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

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

Ordinance No. 4419
Emergency Zoning
Monterey Park No. 1

Ordinance No. 4419, entitled: "An Emergency Ordinance Classifying Into Districts The Recently Annexed Area Known As Monterey Park No. 1", is read and upon motion of Councilman Starbird, seconded by Councilman Watson, adopted as an ordinance for the immediate preservation of the public peace, health and safety, by a 5/7 vote of the Council:

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

Resolution No. 10450
Tentative Report
Zoning
Monterey Park No. 1

Resolution No. 10450 requiring the City Planning Commission to make tentative report on zoning uninhabited annexed area known as "Monterey Park No. 1", pursuant to 9102.46 of the San Jose Municipal Code,

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

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

Reports

Reports of the Police Department and the City Auditor for May 1954, and the quarterly report of the Historic Landmarks Commission for January, February, and March, 1954, are presented and filed.

Payment Due

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 resurfacing of tennis courts in Ryland Park, a partial payment of \$996.00 is read. Councilman Watson proposes and moves adoption of resolution that said payment be authorized, seconded by Councilman Foley, and adopted:

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

Ordinance No. 4420
Purchase Property
(Ghiggeri)

Ordinance No. 4420, entitled: "An Ordinance Of The City Of San Jose Authorizing The Purchase By Said City From Andrew And Mary Ghiggeri Of Certain Real Property Situate On Or About McLellan Avenue In Santa Clara County For Street And Other Purposes, Subject To Specified Terms And Conditions, For Price Of \$6,888.50; Appropriating \$7,000 From Public Improvement Fund For Such Purpose And Authorizing Execution And Performance Of An Agreement Therefor", is presented by the City Engineer, and upon motion of Councilman Starbird, seconded by Councilman Doerr, passed to print:

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

Proposed Purchase
(Medina Property)

Report and recommendation of A. P. Hamann, City Manager, that approximately 17 acres of land owned by John and Emily Medina be purchased by the City for \$860 per acre, for use for the sewage treatment plant, is presented by the City Engineer. Councilman Starbird proposes and moves adoption of resolution that said recommendation be approved, and the City Attorney be directed to prepare and submit proposed ordinance for said

acquisition of said property, seconded by Councilman Doerr, and adopted:

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

North Industrial
Overpass-Route 5
Participation

Report and recommendation of the City Manager that assurance be given to property owners in the North Industrial Area that the City will participate in the sum of \$100,000 for the elevation of proposed Route 5 near the Bayshore Highway to insure rail facilities, conditioned upon annexation of approximately 400 acres north of the Bayshore Highway, is presented and filed by the City Engineer. Councilman Starbird proposes and moves adoption of resolution that said recommendation be referred to the Committee of the Whole for consideration and report, seconded by Councilman Watson, and adopted:

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

Proposed Purchase
Rear of Lots
12th & Martha Sts.

H. J. Flannery, City Engineer, reports that the City Manager recommends, and Councilman Starbird proposes and moves adoption of resolution that the rear of 4 lots located on the E. side of S. 12th Street, S. of Martha Street be purchased for \$400.00, seconded by Councilman Doerr, and adopted:

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

Close E. Entrance
To City Hall
(City Attorney)

H. J. Flannery, City Engineer, reports that in proposed remodeling of the office of the City Attorney, it is requested that authorization be given to close the easterly entrance of the City Hall. Robert E. Cassin, City Attorney, reports that he has checked with the Building Department and that closing of said entrance will not violate any building or fire regulations. Councilman Watson proposes and moves adoption of resolution that said request be approved, seconded by Councilman Starbird, and adopted:

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

Proposed Lease
264 Spencer Ave.

H. J. Flannery, City Engineer, presents and files offer of Harold A. Perry for the lease of city-owned house and lot at 264 Spencer Avenue for \$60.00 per month. Councilman Starbird proposes and moves adoption of resolution that the City Manager be directed to publish Notice of Lease at public auction of house and lot at 264 Spencer Avenue with minimum rental of \$60.00 per month, seconded by Councilman Watson, and adopted:

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

Sale Of Equipment
Not Now Needed

H. J. Flannery, City Engineer, requests, and Councilman Starbird proposes and moves adoption of resolution that the City Manager be authorized to sell one 1939 Hall Scott Pumper and one 1935 Ford V-8 Pickup Truck, which are not now needed for municipal purposes, seconded by Councilman Foley, and adopted:

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

Salary Adjustment
Contracts
(Frank Vargas &
Manuel Briar)

H. J. Flannery, City Engineer, reports that the City Manager recommends, and Councilman Starbird proposes and moves adoption of resolution that the City Attorney be directed to prepare and submit an amendment to the contracts with Frank Vargas and Manuel Briar for the maintenance, etc. of the city-owned property known as the Kelley property, to provide increase of 5.7% in payments for said services, seconded by Councilman Doerr, and adopted:

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

Invite Bids
Wash Rack - Airport

H. J. Flannery, City Engineer, requests, and Councilman Starbird proposes and moves adoption of resolution that bids be invited for furnishing Transient Concrete Wash Rack for the San Jose Municipal Airport, seconded by Councilman Foley, and adopted:

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

Plans Approved
First Aid Station

H. J. Flannery, City Engineer, reports that he has reviewed and approved the plans and specifications for the construction of the Emer-

gency First Aid Station as referred on June 7, 1954.

Ordinance No. 4421
Storm Sewers
Appropriation

Ordinance No. 4421, entitled: "An Ordinance Appropriating The Sum Of Eight Thousand, Two Hundred Dollars (\$8,200.00) For The Construction Of Storm Sewers In Tract No. 1199 Zanger Subdivision", is presented by the City Attorney, and upon motion of Councilman Starbird, seconded by Councilman Watson, passed to print:

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

Proposed Ordinance
Compulsory Retirement
Age 70

Proposed ordinance, entitled: "An Ordinance Of The City Of San Jose Amending Sections 2904.66 And 2904.111 Of The San Jose Municipal Code Relative To The Compulsory Age For Retirement; And Providing That Said Ordinance Shall Be Retroactive To July 1, 1954", is presented by the City Attorney. Councilman Watson proposes and moves adoption of resolution that said ordinance be passed to print, seconded by Councilman Foley, and not adopted:

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

Ordinance No. 4422
Sidewalk, Curb & Gutter
Construction

Ordinance No. 4422, entitled: "Ordinance Repealing Sections 7113, 7114, 7115, 7116, 7117 and 7118 Of The San Jose Municipal Code Relating To Permits And Bond Required For The Construction Of Cement Or Artificial Stone Sidewalk, Driveway, Curb Or Gutter; And Adding Chapter 1A - Construction Of Sidewalks, Driveways, Curbs And Gutters To Article VII Public Works Of The San Jose Municipal Code; Setting Forth The Requirement Of Permits And Bonds And Setting Forth The Procedures For The Construction Of Cement Or Artificial Stone Sidewalks, Driveways, Curbs Or Gutters Within The City Of San Jose", is presented by the City Attorney, and upon motion of Councilman Foley, seconded by Councilman Watson, passed to print:

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

Ordinance No. 4423
Property Exchange
(Leib)

Ordinance No. 4423, entitled: "An Ordinance Authorizing The Mayor And City Manager To Enter Into And Execute On Behalf Of The City Of San Jose An Agreement For The Exchange Of Certain Properties Owned By The City Of San Jose With Certain Other Properties Owned By The Devises Of The

Last Will And Testament Of R. C. Leib, Deceased, Elna Leib Wright, Mary S. Leib And Charles Dorsey Armstrong, For Municipal Purposes; Setting Forth The Terms Of Said Agreement And Appropriating The Sum Of \$2,950.00 From The 1952 Bridge And Street Bond Fund", is presented by the City Attorney and upon motion of Councilman Starbird, seconded by Councilman Foley, passed to print:

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

Resolution No. 10451
Agreement With
S.P.Co. et al
(Storm Sewers)
Commercial St.

Resolution No. 10451 approving and authorizing the execution of an agreement between Central Pacific Railway Company, Southern Pacific Company and the City of San Jose granting permission to said City to construct, reconstruct, maintain and use a 36-inch storm drain within a 54-inch 8-gauge corrugated metal pipe, said line to be constructed across the property and under the tracks of said railways, is presented by the City Attorney and upon motion of Councilman Starbird, seconded by Councilman Watson, adopted:

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

Resolution No. 10452
Agreement With
S. P. Co. et al
Horning & 10th Sts.

Resolution No. 10452 approving and authorizing the execution of an agreement between Central Pacific Railway Company, Southern Pacific Company and the City of San Jose, granting permission to said City to construct, reconstruct, maintain and use an 8-inch pipeline within a 15-inch corrugated metal casing pipe for conveying sewage, said line to be constructed beneath the property of said railways, is presented by the City Attorney, and upon motion of Councilman Starbird, seconded by Councilman Watson, adopted:

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

Proposed Agreement
Lease & Purchase
(Gianni Property)

Robert E. Cassin, City Attorney, advises on the provisions of proposed agreement for the lease and purchase of certain property from Laura Gianni. Councilman Doerr proposes and moves adoption of resolution that consideration of said proposed agreement be deferred to July 6, 1954,

seconded by Councilman Foley and adopted:

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

Resolution No. 10453
Settlement Of Claim

Resolution No. 10453 authorizing settlement of lien in certain action in the Superior Court of the State of California, County of Santa Clara of Joseph A. Pinkston, Plaintiff, vs. Frederick Heywood, Defendant, for the sum of \$600.00 is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Starbird, adopted:

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

Ordinance No. 4424
Historic Landmarks
Commission

Ordinance No. 4424, entitled: "An Ordinance Of The City Of San Jose Amending Part 3, Chapter 2, Article II, Of The San Jose Municipal Code By Adding Thereto Topic 6, Sections 2235 To And Including 2238, Creating The Historic Landmarks Commission And Providing For Its Powers And Duties", is presented by the City Attorney, and upon motion of Councilman Starbird, seconded by Councilman Watson, passed to print:

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

Resolution No. 10454
Approving Diagram
S W G Storm Sewers

Diagram showing the district affected and benefited by the improvement of that portion of the City of San Jose known as South Willow Glen Annexation Districts Nos. 2, 3, 4, 5, 7, 12 and 13, by the construction of a storm sewer collection system together with appurtenances, is presented. Resolution No. 10454 approving said diagram is read and upon motion of Councilman Starbird, seconded by Councilman Foley, adopted:

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

Resolution No. 10455
Ordering Plans
Delmas Ave.-
Spencer Ave.

Resolution No. 10455 directing the preparation of plans and specifications and a map showing proposed boundaries of district to be assessed for the improvement of portions of Delmas Avenue from the S. line of Willow Street to Spencer Avenue, also Spencer Avenue from Delmas Avenue to the southwesterly line of Tract No. 302, Graham Moulton Subdivision, is read and upon motion of Councilman Watson, seconded by Councilman

Starbird, adopted:

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

Resolution No. 10456
Delmas Ave.-
Spencer Ave.
Adopting Plans

Resolution No. 10456 adopting plans and specifications for the improvement of portions of Delmas Avenue from the S. line of Willow Street to Spencer Avenue, also Spencer Avenue from Delmas Avenue to the southwest-erly line of Tract No. 302, Graham Moulton Subdivision, is read and upon motion of Councilman Watson, seconded by Councilman Starbird, adopted:

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

Councilman Doerr
Retiring

Councilman Watson expresses regret that this is Councilman Doerr's last meeting and extends best wishes.

Alcoholic Beverage
Control Act

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

Committee of the
Whole Meeting

Mayor Hathaway announces that there will be a Committee of the Whole meeting at 7:45 o'clock P.M., July 6, 1954, Council Chambers, City Hall.

Council Representatives
County San. Dist.
No. 3

Councilman Doerr proposes and moves adoption of resolution that pursuant to Section 4730 of the State Health and Safety Code, the Mayor be designated to act on the Board of Directors of County Sanitation District No. 3, and that Councilman George Starbird be designated to act as alternate on said Board, seconded by Councilman Foley, and adopted:

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

Adjourn In Memory
Victor Challen Sr.

Councilman Starbird proposes and moves adoption of resolution that the Council adjourn in respect to the memory of Victor Challen, Sr., deceased June 25, 1954, who was a member of the Police and Fire Commission from 1912 to 1914, and a member of the Board of Freeholders for the Charter as adopted in 1915, seconded by Councilman Watson, and adopted:

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

Adjourn

Council now adjourns at 11:30 o'clock P.M.

PARKER L. HATHAWAY
MAYOR

Parker L. Hathaway

ATTEST:

Dorothy Govill
DOROTHY GOVILL
CITY CLERK

Tuesday

San Jose, California

July 6, 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 - Foley, Hathaway, Moore, Santora,
Starbird and Watson.
Absent: Councilmen - Solari.

Mayor George Starbird

Nominations are now declared in order for the office of Mayor, two-year term ending June 30, 1956. Councilman Watson nominates Councilman Starbird and nomination is seconded by Councilman Santora. No further nominations being heard, nomination is closed. Councilman Watson proposes and moves adoption of resolution that Councilman Starbird be declared elected to the office of Mayor, two-year term ending June 30, 1956, seconded by Councilman Santora, and adopted:

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

Invocation

Invocation is given by Reverend Joyce W. Farr.

Minutes

Councilman Hathaway proposes and moves adoption of resolution that consideration of the Minutes of sessions of December 21, 28, 30, 1953, January 4, 11, 18, 25, 27, February 1, 8, 15, 23, March 1, 8, 15, 22, 11:00 o'clock A.M. and 8:00 o'clock P.M. March 29, April 5, 4:00 o'clock and 8:00 o'clock P.M. April 12, April 19, 26, May 3, 10, 17, 18, 24, June 1, 7, 14, 21 and 28, 1954, be deferred, seconded by Councilman Foley, and adopted:

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

Bids

Rosa-Hedding Bridge

Clerk reports receipt of eleven sealed proposals or bids for construction of the Rosa-Hedding Street Bridge. Councilman Santora proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Watson and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Bidders & Guarantee	Item	Per Lump Sum Price
	Construction of reinforced concrete bridge across the Guadalupe River at Rosa & Hedding Sts. with appurtenances & storm sewer outlet structure	\$ Cts.
James B. Allen - guarantee: bid bond of United Pacific Insurance Company in amount of 10% of bid.		59,946.00
H. K. Anderson, - guarantee: bid bond of The Fidelity and Casualty Company of New York in amount of 10% of bid.		51,051.00
George Bianchi - guarantee: bid bond of Fire Association of Philadelphia in amount of 10% of bid.		98,500.00#
Bos Construction Co. - guarantee: bid bond of United Pacific Insurance Company in amount of 10% of bid.		68,600.00
Dan Caputo Co. - guarantee: bid bond of The Fidelity and Casualty Company of New York in amount of 10% of bid.		58,986.00
Frank E. Chamberlain, dba Bridges Construction Co. - guarantee: bid bond of Fire Association of Philadelphia in amount of 10% of bid.		54,792.00
Granite Construction Company - guarantee: bid bond of Pacific Indemnity Company in amount of 10% of bid.		69,942.00
Lew Jones Construction Co. - guarantee: bid bond of Indemnity Insurance Company of North America in amount of 10% of bid.		60,987.00
W. J. Nicholson Co. - guarantee: bid bond of Peerless Casualty Company in amount of 10% of bid.		61,666.00
Geo. C. Renz Construction Co., Inc. - guarantee: bid bond of United Pacific Insurance Co. in amount of 10% of bid.		63,900.00
#Carl N. Swenson Co., Inc. - guarantee: bid bond of Seaboard Surety Company in amount of 10% of bid.		51,900.00

#Affidavit of non-collusion not signed.

Bids
Rosa-Hedding Bridge

Councilman Watson proposes and moves adoption of resolution that said proposals or bids be referred to the City Engineer for consideration and report on July 12, 1954, seconded by Councilman Santora and adopted:

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

Bid
Hillsdale Ave.
El Rancho Del Rey
Unit 1 Tract 1249

Clerk reports receipt of one sealed proposal or bid for improvement of portions of Hillsdale Avenue in and adjacent to El Rancho Del Rey, Unit No. 1, Tract No. 1249. Councilman Hathaway proposes and moves adoption of resolution that said proposal or bid be opened, seconded by Councilman

Foley, and adopted:

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

Bid

Clerk now opens said sealed proposal or bid.

Estimated Quantity	Item	Bidder Leo F. Piazza Paving Co. Price \$ Cts.
7,520 sq. ft.	asphaltic concrete pavement, per sq. ft.	0.15 $\frac{1}{2}$
	Total	\$1,165.60

Guarantee: Leo F. Piazza Paving Co. - bid bond of Hartford
Accident and Indemnity Company in amount of 10% of bid.

Bid
Hillsdale Ave.
El Rancho Del Rey
Unit 1 Tract 1249

H. J. Flannery, City Engineer, recommends and Councilman Watson
proposes and moves adoption of resolution that Leo F. Piazza Paving Co., be
declared the lowest responsible bidder for the improvement of Hillsdale
Avenue in and adjacent to El Rancho Del Rey, Unit No. 1, Tract No. 1249,
and that said bid be accepted, and contract be awarded to Leo F. Piazza Pav-
ing Co., for said improvement, seconded by Councilman Hathaway, and adopted:

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

Resolution No. 10457
Hillsdale Ave.
Award

Resolution No. 10457 awarding contract to Leo F. Piazza Paving
Co. for the improvement of portions of Hillsdale Avenue all in or adjacent
to El Rancho Del Rey, Unit No. 1, Tract No. 1249, is read and upon motion
of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Laurel St.
Polhemus-Emory Sts.
Hearing

This being the time and place fixed by Resolution No. 10412,
adopted June 14, 1954, when and where any and all persons having any ob-
jections to the proposed improvement of portions of Laurel Street between
the N. property line of Polhemus Street and the S. property line of Emory
Street, in accordance with said Resolution No. 10412, may appear and be
heard, the City Clerk advises that no written protests to said work and im-
provement have been filed. No person is present desirous of being heard.
Councilman Hathaway proposes and moves adoption of resolution that said hear-

ing be closed, seconded by Councilman Watson, and adopted:

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

Resolution No. 110458
Laurel St.
Polhemus-Emory Sts.
Ordering Work

Resolution No. 10458 ordering the work for the improvement of portions of Laurel Street between the N. property line of Polhemus Street and the S. property line of Emory Street, is presented, and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Religious Meetings
SE Post & Market Sts.

Request of the First Baptist Church for a permit to conduct religious meetings on the SE. corner of Post and Market Streets each Saturday between 7:00 o'clock and 7:30 o'clock P.M., is presented and reported in proper form. Councilman Watson proposes and moves adoption of resolution that said permit be granted, seconded by Councilman Hathaway and adopted:

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

Close N. 5th St.
O'Bon Religious
Services

Request of the San Jose Buddhist Church, that in observance of its annual O'Bon religious services, 1) permit be granted to conduct religious dance on N. 5th Street between Jackson Street and 640 N. 5th Street, and to block off said portion of N. 5th Street and 2) permission be granted to install approximately 16 poles on which to string lights across N. 5th Street, from 6:00 o'clock to 10:00 o'clock P.M., July 17, 1954, heretofore submitted to and approved by the Chief of Police, is presented. Councilman Watson proposes and moves adoption of resolution that said permits be granted subject to applicant filing certificate of insurance in form and amounts satisfactory to the City Attorney and filing written consent of adjacent property owners, seconded by Councilman Santora and adopted:

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

Claim For Injuries
(Rodriguez, Lorenza)

Claim of Lorenza Rodriguez in the amount of \$25,000 for alleged injuries received on April 10, 1954, near the SE. corner of Almaden Avenue

annexed to the City of San Jose; map certified by Irving L. Ryder, Engineer III, setting forth the boundaries of the territory described in said petition and the total acreage of said territory, certified photostatic copies of records of Roy P. Emerson, Tax Collector of Santa Clara County, listing the assessment numbers, owner's name and post office address, value of land and improvements of properties within said territory proposed to be annexed; affidavit of Pearce Davies, Associate Planner, dated July 6, 1954, stating that the parcels of property described in list attached thereto are all of the parcels of real property within said territory proposed to be annexed and that said list truly states the assessment numbers, owners, descriptions and values of all parcels of real property within said territory, and affidavit of Pearce Davies, Associate Planner, that he examined the records of the County Registrar of Voters of Santa Clara County and determined that less than 12 registered voters reside within said territory proposed to be annexed, are presented and filed by the Assistant City Attorney. Resolution No. 10460 giving notice of proposed annexation to the City of San Jose of that certain uninhabited territory designated "Maypark No. 4" and giving notice of the time and place for hearing protests thereto, is presented by the Assistant City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Watson, adopted:

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

Pump Island Over
Plan Line
SE Willow St. &
Lincoln Ave.

Harold Myers, appearing on behalf of the Shell Oil Company, requests a permit to construct a service station pump island extending beyond the Official Plan Line on Willow Street for property at the SE. corner of Willow Street and Lincoln Avenue. M. H. Antonacci, Director of Planning, reports that on July 6, 1954, the City Planning Commission acted on said request and that it recommends, by authority of Section 7106 of the San Jose Municipal Code, that said request be granted. Councilman Watson proposes and moves adoption of resolution that said permit be granted, conditioned that the owners and lessees of said property agree, in writing to assume any future costs in connection with the moving of said improvement if and when Willow Street is widened, seconded by Councilman Hathaway, and adopted:

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

Auction
1093 Minnesota Ave.

Application of Clanton and Clanton, Auctioneers, pursuant to Section 6207.10 of the San Jose Municipal Code, requesting a permit to conduct an auction of new goods at 1093 Minnesota Avenue beginning July 11, 1954, and requesting consideration of amending Section 6207.10 of the San Jose Municipal Code to eliminate the necessity for approval of each location where new goods are to be auctioned, is read. Councilman Hathaway proposes and moves adoption of resolution that permit to conduct auction of new goods at 1093 Minnesota Avenue, beginning July 11, 1954, pursuant to Section 6207.10 of the San Jose Municipal Code, be granted subject to the approval of the Chief of Police, seconded by Councilman Santora and adopted:

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

Proposed Amendment
Auction Of New Goods
(Location Approval)

Councilman Hathaway proposes and moves adoption of resolution that consideration of amending Section 6207.10 of the San Jose Municipal Code to eliminate the necessity for approval of each location where new goods are to be auctioned, be referred to the City Attorney for review and report, seconded by Councilman Santora, and adopted:

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

Proposed False Arrest
Insurance
(Police Dept)

John E. Thorne, Attorney at Law, requests that the City furnish false arrest insurance for members of the Police Department, also counsel to represent police officers who are defendants in present and future suits. General discussion is had with the City Manager and the Assistant City Attorney. Councilman Hathaway proposes and moves adoption of resolution that said request be referred to the Committee of the Whole for consideration at its meeting at 4:00 o'clock P.M., July 12, 1954, seconded by Councilman Santora, and adopted:

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

Complaint On
Condition Of
Westgate Ave.

Petition of Mrs. Mary G. Terkildsen, and others, complaining about the dirty and dusty condition of Westgate Avenue, is presented. Councilman Foley proposes and moves adoption of resolution that said complaint be referred to the City Engineer for investigation and report, seconded by Councilman Santora, and adopted:

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

Ordinance No. 4418
Rezoning E. Side
N. 4th St.

Ordinance No. 4418, entitled: "An Ordinance Amending The San Jose Municipal Code, By Adding A New Section Thereto To Be Numbered 9102.44z16, Rezoning the East Side Of North Fourth Street, Between Younger Avenue And The Prolongation Of Burton Avenue", passed to print June 28, 1954, is given final reading and upon motion of Councilman Foley, seconded by Councilman Hathaway, adopted:

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

Ordinance No. 4420
Purchase Property
(Ghiggeri)

Ordinance No. 4420, entitled: "An Ordinance Of The City Of San Jose Authorizing The Purchase By Said City From Andrew And Mary Ghiggeri Of Certain Real Property Situate On Or About McLellan Avenue In Santa Clara County For Street And Other Purposes, Subject To Specified Terms And Conditions, For Price Of \$6,888.50; Appropriating \$7,000 From Public Improvement Fund For Such Purpose And Authorizing Execution And Performance Of An Agreement Therefor", passed to print June 28, 1954, is given final reading and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Ordinance No. 4421
Storm Sewers
Appropriation

Ordinance No. 4421, entitled: "An Ordinance Appropriating The Sum Of Eight Thousand, Two Hundred Dollars (\$8,200.00) For The Construction Of Storm Sewers In Tract No. 1199 Zanger Subdivision", passed to print June 28, 1954, is given final reading and upon motion of Councilman Hathaway, seconded by Councilman Foley, adopted:

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

Ordinance No. 4422
Sidewalk, Curb & Gutter
Construction

Ordinance No. 4422, entitled: "Ordinance Repealing Sections 7113, 7114, 7115, 7116, 7117 And 7118 Of The San Jose Municipal Code Relating To Permits And Bond Required For The Construction Of Cement Or Artificial Stone Sidewalk, Driveway, Curb Or Gutter; And Adding Chapter 1A- Construction Of Sidewalks, Driveways, Curbs And Gutters To Article VII- Public Works Of The San Jose Municipal Code; Setting Forth The Requirement Of Permits And Bonds And Setting Forth The Procedures For The Construction Of Cement Or Artificial Stone Sidewalks, Driveways, Curbs Or Gutters Within The City Of San Jose", passed to print June 28, 1954, is given final reading and upon motion of Councilman Hathaway, seconded by Councilman Foley, adopted:

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

Ordinance No. 4423
Property Exchange
(Leib)

Ordinance No. 4423, entitled: "An Ordinance Authorizing The Mayor And City Manager To Enter Into And Execute On Behalf Of The City Of San Jose An Agreement For The Exchange Of Certain Properties Owned By The City Of San Jose With Certain Other Properties Owned By The devisees Of The Last Will And Testament Of R. C. Leib, Deceased, Elna Leib Wright, Mary S. Leib and Charles Dorsey Armstrong, For Municipal Purposes; Setting Forth The Terms Of Said Agreement And Appropriating The Sum Of \$2,950.00 From The 1952 Bridge And Street Bond Fund", passed to print June 28, 1954, is given final reading and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Resolution No. 10461
Orchard Nos. 2, 5 & 8
Sanitary & Storm
Sewers - Award

H. J. Flannery, City Engineer, reports that bid of Kevry Construction Co. Inc., is the lowest responsible bid for the installation of a sanitary sewage system and storm sewers in San Jose Orchard Annexation Districts Nos. 2, 5, and 8, at the prices named in its bid opened June 28, 1954, and recommends that said bid be accepted. Resolution No. 10461 awarding contract to Kevry Construction Co. Inc. for installation of said sanitary sewage system and storm sewers in San Jose Orchard Annexation

Districts Nos. 2, 5 and 8, is read and upon motion of Councilman Hathaway, seconded by Councilman Watson, adopted:

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

Resolution No. 10462
Major City Streets
Award

H. J. Flannery, City Engineer, reports that bid of Leo F. Piazza Paving Co., is the lowest responsible bid for the resurfacing of First Street, Fourth Street, Seventeenth Street, Thirteenth Street, Stockton Avenue, all Major City Streets (Project 151), at the prices named in its bid opened June 28, 1954, and recommends that said bid be accepted. Resolution No. 10462 awarding contract to Leo F. Piazza Paving Co. for resurfacing said Major City Streets, is read and upon motion of Councilman Hathaway, seconded by Councilman Watson, adopted:

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

Resolution No. 10463
Cottle Ave.
Malone Rd.-Clark Way Paving Co. is the lowest responsible bid for the improvement of portions
Award

H. J. Flannery, City Engineer, reports that bid of Leo F. Piazza of Cottle Avenue from the center line of Malone Road to the center line of Clark Way, at the prices named in its bid opened June 28, 1954, and recommends that said bid be accepted. Resolution No. 10463 awarding contract to Leo F. Piazza Paving Co. for improvement of portions of Cottle Avenue, is read and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Defer Bids
Cleveland Ave.
Forest-Trace Park
Tract

H. J. Flannery, City Engineer, requests, and Councilman Watson proposes and moves adoption of resolution that consideration of the bids opened June 28, 1954, for the improvement of portions of Cleveland Avenue between the N. property line of Forest Street and the southwesterly line of Trace Park Tract No. 64, be deferred to July 12, 1954, seconded by Councilman Hathaway and adopted:

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

Resolution No. 10464
Dana Ave.
Hester-Calaveras Aves.
Award

H. J. Flannery, City Engineer, reports that bid of A. J. Raisch Paving Company, is the lowest responsible bid for the improvement of portions of Dana Avenue from the N. property line of Calaveras Avenue to a point 138.65' S. of the S. line of Hester Avenue, at the prices named in its bid opened June 28, 1954, and recommends that said bid be accepted. Resolution No. 10464 awarding contract to A. J. Raisch Paving Company, for improvement of portions of Dana Avenue, is read and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Resolution No. 10465
Michigan Ave. Et Al
Award

H. J. Flannery, City Engineer, reports that bid of Leo F. Piazza Paving Co., is the lowest responsible bid for the improvement of portions of Michigan Avenue, Settle Avenue, California Avenue, Hill Avenue and Jansen Avenue, at the prices named in its bid opened June 28, 1954, and recommends that said bid be accepted. Resolution No. 10465 awarding contract to Leo F. Piazza Paving Co. for the improvement of said streets, is read and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Orchard No. 10
Annexation
Deferred

As deferred from June 28, 1954, the Council now considers petition of T. A. Minardi and A. R. Calvelli, requesting that pursuant to the Annexation Of Uninhabited Territory Act Of 1939, certain territory designated as "Orchard No. 10" be annexed to the City of San Jose. Ferdinand P. Palla, Assistant City Attorney, recommends, and Councilman Santora proposes and moves adoption of resolution that consideration of said request be deferred to July 19, 1954, seconded by Councilman Moore, and adopted:

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

Proposed Salary
Increases

Communication from A. P. Hamann, City Manager, recommending certain salary increases for the City Building Official, the City Treasurer, the Housing Director, the Director of Planning, the Assistant City Manager and the City Auditor, is read. Councilman Foley proposes and moves adoption

of resolution that consideration of said recommendation be referred to the Committee of the Whole for review and report, seconded by Councilman Hathaway, and adopted:

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

Ordinance No. 4425
Lease & Purchase
(Gianni Property)

As deferred from June 28, 1954, the Council now considers the proposed agreement for the lease and purchase of certain property from Laura Gianni. Ferdinand P. Falla, Assistant City Attorney advises on the provisions of said proposed agreement and A. P. Hamann, City Manager advises on said proposed lease and purchase and displays map of said property. Ordinance No. 4425, entitled: "Ordinance Of The City Of San Jose Authorizing Execution Of An Agreement With Laura Gianni Wherein (a) City Agrees To Buy And Laura Gianni Agrees To Sell To City 6.23 Acres More Or Less Of Land, Hereinafter Described, For \$24,500.00 (b) City Buys From Laura Gianni, For \$7,575.00, Options To Purchase 9 Other Parcels Of Land, Each Being 6.23 Acres More Or Less, Hereinafter Described, For The Price Of \$24,500.00 Per Each Parcel, And (c) City Agrees To Lease From Laura Gianni And Laura Gianni Agrees To Lease To City The Last Mentioned 9 Parcels Of Land (Excepting Those Purchased Under Said Options) For An Eight Year Term Commencing On Or About November 1, 1955, The Term Of Lease For Any Parcel To Terminate On Its Purchase By City, For Annual Rental Of \$1,175.00 Per Each Parcel Per Year; Appropriating \$24,700.00 From The Unappropriated Surplus Of The Federal Airport Aid Project No. 9-04-001-203 Fund For The Purchase Of The 6.23 Acre Parcel First Hereinabove Mentioned And For Closing Costs Incidental Thereto; Appropriating \$7,575.00 From Said Fund For The Purchase Of The Above Mentioned Options; Authorizing The City Manager To Expend Said Moneys For The Purposes For Which They Are Appropriated; Authorizing The Mayor And City Manager To Fully Perform The Aforesaid Agreement; Repealing Ordinance No. 4094 And Ordinance No. 4095; Repealing Resolution No. 9609; Finding And Declaring That The Public Interest, Convenience And Necessity Requires All Of The Above To Be Done For The Expansion, Development And Operation Of The San Jose Municipal Airport", is presented by the Assistant City Attorney, and upon motion of Councilman Hathaway, seconded by Council-

man Foley, passed to print:

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

Councilman Santora
Leaves Session

Councilman Santora requests and is granted permission to
leave session.

Report
Industrial
Development

Report from the San Jose Chamber of Commerce on Industrial De-
velopment for the period from September 1, 1953 to August 31, 1954, is
presented and filed.

Employment
General Electric Co.

A. P. Hamann, City Manager, presents reply from the General
Electric Company to communication directed to said company on June 1, 1954
urging it to not reduce its operations in the San Jose plant, and by
unanimous consent, said communication is filed.

Adjustment In
Non-Conforming Use
315 N. 10th St.

Resolution of the City Planning Commission, by authority of Sec-
tion 9104.4 of the San Jose Municipal Code, granting permit to the Pastime
Social Club to construct an addition to present facilities at 315 N. 10th
Street as shown on plot plan on file in the Department of Building and
advising that said addition is within the 15% rule for additional floor
area permitted for non-conforming uses, is read. Councilman Watson proposes
and moves adoption of resolution that said resolution be approved, seconded
by Councilman Hathaway and adopted:

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

Resolution No. 10466
Sewer Connection
(Hawaiian Gardens)

Resolution No. 10466 authorizing Tena LoCurto to connect with the
San Jose City Sewer System, is presented by the Assistant City Attorney,
and upon motion of Councilman Hathaway, seconded by Councilman Foley, adopted:

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

Resolution No. 10467
Amending Revocable
Permit -
Spur Tracks

Report and recommendation of the City Attorney, the City Engineer
and the Director of Planning, that an amendment be made to Paragraph 4 (e)
of Resolution No. 10392, adopted June 1, 1954, which granted a revocable
permit to the Western Pacific Railroad Company to construct and operate two
spur tracks across Auzerais Avenue, to provide, "that any flood lighting

system required by the Public Utilities Commission of the State of California and/or any other governmental agency or political subdivision, in the interest of safety, shall be installed and maintained at said crossing by the Western Pacific Railroad Company at its own cost and expense.", is read. Resolution No. 10467 amending Resolution No. 10392, adopted June 1, 1954, granting revocable permission to the Western Pacific Railroad Company to relocate, operate and maintain two industrial spur tracks across Auzerais Avenue between Los Gatos Creek and Lincoln Avenue, as shown upon drawing entitled: "Proposed rearrangement of trackage across Auzerais Street", dated February 19, 1954, is presented by the Assistant City Attorney, and upon motion of Councilman Foley, seconded by Councilman Moore, adopted:

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

Ordinance No. 4426
Purchase Property
(Filice)

Ordinance No. 4426, entitled: "An Ordinance Authorizing The Mayor And City Manager To Purchase For The Widening Of San Carlos Street And Such Other Municipal Purposes As The City Council May Direct, A Certain Described Parcel Of Real Property From Sam S. Filice, Albert J. Filice, Orlando J. Ereno And Sunda Filice Ereno, His Wife; To Deposit In Escrow And Pay The Purchase Price Of Said Real Property And To Pay Necessary Recording, Stamp Tax, Escrow, Title Search And Such Other Fees And Expenses As Are Necessarily Incurred In Connection With Said Purchase; And Appropriating The Sum Of \$10,200.00 From The Special Gas Tax Street Improvement Fund", is presented by the Assistant City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Foley, passed to print:

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

Ordinance No. 4427
Street Number Map
S W G No. 20

Ordinance No. 4427, entitled: "An Ordinance Amending The San Jose Municipal Code By Adding A New Section Thereto To Be Numbered 8727 Approving And Adopting An Official Street Number Map (Supplementary) For South Willow Glen No. 20 Annexed To The City Of San Jose On May 27, 1954", is presented by the Assistant City Attorney and upon motion of Councilman Hathaway, seconded by Councilman Watson, passed to print:

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

Ordinance No. 4428
Regulating
Action Sales

Communication from R. L. Hofvendahl, Attorney at Law, on behalf of the Better Business Bureau, recommending that proposed ordinance, presented February 15, 1954, which amends the San Jose Municipal Code to provide regulations for conducting "Action Sales" be adopted, is read. Ordinance No. 4428, entitled: "Ordinance Of The City Of San Jose Amending Section 6701.101 Of Part 1A Of Chapter 7 Of Article VI Of The San Jose Municipal Code By Adding Thereto Sub-Sections(1), (2) And (3) For The Purpose Of Including Within The Definition Of 'Auction', 'Public Auction' And 'Auction Sale' That Method Of Offering For Sale Commonly Known As 'Downhill Selling', 'Action Sale' Or 'Dutch Auction'", is presented and upon motion of Councilman Foley, seconded by Councilman Hathaway, passed to print:

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

Resolution No. 10468
Delmas & Spencer Aves.
Preliminary Determination

Resolution No. 10468 preliminarily determining that public convenience and necessity require the improvement of portions of Delmas Avenue from the S. line of Willow Street to Spencer Avenue, also portions of Spencer Avenue from Delmas Avenue to the southerwesterly line of Tract No. 302, Graham Moulton Subdivision, without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, describing said improvement and setting a time and place of hearing thereon, is read and upon motion of Councilman Hathaway, seconded by Councilman Watson, adopted:

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

Resolution No. 10469
Jansen Ave.
Adopting Plans

Resolution No. 10469 adopting plans and specifications for the improvement of portions of Jansen Avenue between the W. line of Curtiss Avenue and the W. line of Bird Avenue, is read and upon motion of Councilman Hathaway, seconded by Councilman Moore, adopted:

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

Resolution No. 10470
Storm Sewer System
Forest-Bascom
Adopting Plans

Resolution No. 10470 adopting plans and specifications for the construction of certain storm sewer facilities, entitled: "City of San Jose Storm Sewer System, Forest-Bascom", is read and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Alcoholic Beverage
Control Act

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

Proposed Cost
Signal Blinkers

Councilman Watson proposes and moves adoption of resolution that the Traffic Analyst be directed to investigate and report on the cost and feasibility of operating certain traffic signals all night instead of using flashing lights, seconded by Councilman Moore, and adopted:

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

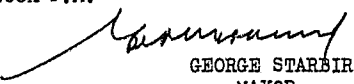
Adjourn

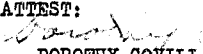
Councilman Watson proposes and moves adoption of resolution that the Council adjourn, seconded by Councilman Hathaway, and adopted:

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

Adjourn

Council now adjourns at 10:17 o'clock P.M.


GEORGE STARBIRD
MAYOR

ATTEST:

DOROTHY COVILL
CITY CLERK

Monday

San Jose, California

July 12, 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 - Foley, Hathaway, Moore, Santora,
Solari, Watson and Starbird.
Absent: Councilmen - None.

Invocation

Invocation is given by Reverend Joyce W. Farr.

Minutes

The Minutes of regular session of December 21, 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 sessions of December 28, 30, 1953, January 4, 11, 18, 25, 27, February 1, 8, 15, 23, March 1, 8, 15, 22, 11:00 o'clock A.M. and 8:00 o'clock P.M. March 29, April 5, 4:00 o'clock and 8:00 o'clock P.M. April 12, April 19, 26, May 3, 10, 17, 18, 24, June 1, 7, 14, 21, 28, and July 6, 1954, be deferred, seconded by Councilman Santora and adopted:

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

Off-Street Parking
Requirements
C Commercial District

This being the time and place fixed on June 14, 1954, for the purpose of considering and discussing the proposal for the amendment of Section 9103.4a of the San Jose Municipal Code to require an additional amount of off-street parking space for automobiles in C Commercial District, (Professional-Office) City Clerk reports that no written protests have been filed. Edward A. Williams, Assistant Director of Planning, advises on the provisions of said proposed amendment. Mrs. Louis Thorner and Rev. Joyce W. Farr, appear in favor of said proposed amendment. Councilman Santora proposes and moves adoption of resolution that said hearing be continued to 8:00 o'clock P.M., July 26, 1954, seconded by Councilman Moore, and adopted:

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

Proposed Closing
Alleys N. of Keyes St.

This being the time and place fixed by Resolution No. 10417, adopted June 14, 1954, for public hearing on the proposed closing and abandoning of certain unnamed alley 15' wide running between Lots 5 through

16 of Block 42, as shown upon map entitled: "Map Of The Lands Of The Vineyard Homestead Association", recorded in Book A, Page 78 of Maps, Santa Clara County Records, and to close and abandon a portion of 5th Street (formerly Main Street) 15' more or less from the E. line thereof between the N. line of Keyes Street and the N. line of Block 42 of the Vineyard Homestead Association, City Clerk reports that no written protests have been filed. No person is present desirous of being heard. Councilman Solari proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Watson, and adopted:

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

Ordinance No. 4429
Closing Alley
N. of Keyes St.

Ordinance No. 4429, entitled: "An Ordinance Of The City Of San Jose Closing And Abandoning A Certain Unnamed Public Alley 15 Feet More Or Less In Width Running Between Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 And 16 Of Block 42, As Said Lots And Block Are Shown On The Map Entitled 'Map Of The Lands Of The Vineyard Homestead Association', Recorded In Book A, Page 78, Of Maps, Santa Clara County Records, In The Office Of The County Recorder, Santa Clara County, California; And Closing And Abandoning A Certain Portion Of Fifth Or Main Street 15 Feet More Or Less From The Westerly Line Thereof Between The Northerly Line Of Keyes Street And The Northerly Line Of Block 42 Of The Vineyard Homestead Association, As Said Block Is Shown Upon That Certain Map Entitled 'Map Of The Lands Of The Vineyard Homestead Association' Hereinabove Mentioned", is read and upon motion of Councilman Foley, seconded by Councilman Watson, passed to print:

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

Eastwood & Perry
Courts
Hearing

This being the time and place fixed by Resolution No. 10448, adopted June 21, 1954, when and where any person may appear and show cause, if any they have, why portions of Eastwood Court between a point 15'-33' south of the S. line of Perry Court measured along the westerly line thereon and its northerly termination, also portions of Perry Court between the W. line of Eastwood Court and the center line of 33rd Street, should not

be improved without further compliance with the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, City Clerk advises that no written protests to said improvement have been filed. No person is present desirous of being heard. Councilman Hathaway proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Santora, and adopted:

Ayes: Councilmen - Foley, Hathaway, Moore, Santora,
Solar, Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - None.

Resolution No. 10471
Eastwood & Perry Courts
Improve Without
Compliance

Resolution No. 10471 determining to make improvement without compliance with the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, upon Eastwood Court and Perry Court is read, and upon motion of Councilman Hathaway, seconded by Councilman Watson, adopted by a 6/7 vote of the Council:

Ayes: Councilmen - Foley, Hathaway, Moore, Santora,
Solar, Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - None.

Resolution No. 10472
Eastwood & Perry Courts
Intention To Improve

Resolution No. 10472 of intention that the public interest, convenience and necessity require, and that the Council intends to order the improvement of portions of Eastwood Court between a point 154.38' south of the S. line of Perry Court measured along the westerly line thereon and its northerly termination, also portions of Perry Court between the W. line of Eastwood Court and the center line of 33rd Street; describing said work and improvement; finding and declaring that said improvement is of more than local or ordinary public benefit and that the cost and expense thereof shall be assessed upon a district declared to be benefited thereby; describing said district; declaring that serial bonds shall be issued to represent unpaid assessments; giving an estimate of total costs and expense; declaring applicable laws and procedures; declaring that said improvements shall be made without compliance with the Special Assessment Investigation, Limitation and Majority Protest Act Of 1931; and giving notice of hearing on protests and objections, is presented and upon motion of Councilman Foley, seconded by Councilman Watson, adopted:

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

S W G Storm Sewers
Diagram & Assessment
Hearing

This being the time and place fixed for hearing protests to the diagram, assessment and schedule of assessment rates heretofore prepared and filed on June 29, 1954 by the City Engineer, on the improvement of the several avenues, drives, courts, ways, roads and city-owned rights-of-way in the portion of the City known as South Willow Glen Annexation Districts Nos. 2, 3, 4, 5, 7, 12 and 13, by construction of a storm sewer collection system together with appurtenances, City Clerk advises that no protests have been filed. No person is present desirous of being heard. Councilman Watson proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Santora, and adopted:

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

Resolution No. 10473
S W G Storm Sewers
Approving & Confirm-
ing Assessment

Resolution No. 10473 approving and confirming assessment and ordering warrant in the matter of construction of storm sewer collection system together with appurtenances in South Willow Glen Annexation Districts Nos. 2, 3, 4, 5, 7, 12 and 13, is read and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Complaint
Guadalupe River
Near Howard St.

Communication from the Mission Valley Canning Co. Inc., complaining of the heavy growth and the stench existing in the Guadalupe River in the vicinity of Howard Street, is read. Councilman Watson proposes and moves adoption of resolution that said complaint be referred to the City Engineer and the Health Officer for investigation and report, seconded by Councilman Moore, and adopted:

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

Complaint
Operation Of
Kleinsmith Bros.

Petition of Andrew M. Erickson, and others, protesting the nuisance caused by the operations of the excavation, trucking and hauling

business conducted by Kleinsmith Brothers at 400 S. Genevieve Lane, is presented. Frederick Cliby and Andrew M. Erickson appear in support of said protest. Councilman Watson proposes and moves adoption of resolution that said protest be referred to the City Attorney, the Director of Planning and the Traffic Analyst for investigation and report on July 26, 1954, seconded by Councilman Hathaway, and adopted:

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

Claim For Damages

Claim of Frank J. Locicero, Jr., in amount of \$25,000, for alleged damages received on April 23, 1954, at Market and Santa Clara Streets, is presented. Councilman Hathaway proposes and moves adoption of resolution that said claim be referred to the City Attorney for consideration, seconded by Councilman Santora and adopted:

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

**Parade & Proclamation
S.C. County Youth Center**

Request of Rev. Walter E. Schmidt, S.J., Director of the Santa Clara County Youth Center, Inc., that July 12 through July 18, 1954 be proclaimed as "Santa Clara County Youth Center Week" in San Jose, and that permit be granted to conduct a parade at 2:00 o'clock P.M., July 16, 1954, heretofore approved by the Chief of Police, is read. Councilman Hathaway proposes and moves adoption of resolution that said request for proclamation be granted and the Mayor be authorized to so proclaim, and that permit to conduct said parade be granted, seconded by Councilman Solari, and adopted:

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

**Ordinance No. 4426
Purchase Property
(Filice)**

Ordinance No. 4426, entitled: "An Ordinance Authorizing The Mayor And City Manager To Purchase For The Widening Of San Carlos Street And Such Other Municipal Purposes As The City Council May Direct, A Certain Described Parcel Of Real Property From Sam S. Filice, Albert J. Filice, Orlando J. Ereno And Sunda Filice Ereno, His Wife; To Deposit In Escrow And Pay The Purchase Price Of Said Real Property And To Pay Nece-

essary Recording Stamp Tax Macrow, Title Search And Such Other Fees And Expenses As Are Necessarily Incurred In Connection With Said Purchase; And Appropriating The Sum Of \$10,200.00 From The Special Gas Tax Street Improvement Fund", passed to print July 6, 1954, is given final reading and upon motion of Councilman Hathaway, seconded by Councilman Foley, adopted:

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

Ordinance No. 4427
Street Number Map
S W G No. 20

Ordinance No. 4427, entitled: "An Ordinance Amending The San Jose Municipal Code By Adding A New Section Thereto To Be Numbered 8727 Approving And Adopting An Official Street Number Map (Supplementary) For South Willow Glen No. 20 Annexed To The City Of San Jose On May 27, 1954", passed to print July 6, 1954, is given final reading and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Ordinance No. 4428
Regulating
Action Sales

Ordinance No. 4428, entitled: "Ordinance Of The City Of San Jose Amending Section 6701.101 Of Part 1A Of Chapter 7 Of Article VI Of The San Jose Municipal Code By Adding Thereto Subsections (1), (2) And (3) For The Purpose Of Including Within The Definition Of 'Auction', 'Public Auction' And 'Auction Sale' That Method Of Offering For Sale Commonly Known As 'Downhill Selling', 'Action Sale' Or 'Dutch Auction'", passed to print July 6, 1954, is given final reading and upon motion of Councilman Hathaway, seconded by Councilman Foley adopted:

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

Cleveland Ave.
Reject Bids

H. J. Flannery, City Engineer, reports that the bids opened June 28, 1954 for the improvement of portions of Cleveland Avenue between the N. property line of Forest Street and the southwesterly line of Trace Park Tract No. 64, are all too high and recommends, and Councilman Watson proposes and moves adoption of resolution that all bids be rejected and the City Manager be authorized to invite new bids for said improvement, seconded by Councilman Hathaway and adopted:

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

Resolution No. 10474
Cleveland Ave.
Reject Bids

Resolution No. 10474 rejecting all bids and calling for new bids for the improvement of portions of Cleveland Avenue between the N. property line of Forest Street and the southwesterly line of Trace Park Tract No. 64, is read and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Resolution No. 10475
Rosa-Hedding Bridge
Award

H. J. Flannery, City Engineer, reports that the bid of H. H. Anderson is the lowest responsible bid for the construction of the Rosa-Hedding Bridge, at the prices named in his bid opened July 6, 1954, and recommends that said bid be accepted. Resolution No. 10475 awarding contract to H. H. Anderson for construction of the Rosa-Hedding Bridge, is read and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Complaint
Lucky Stores, Inc.
Burning

As deferred from June 28, 1954, the Council now considers complaint of Florence Rhodes, and others, of nuisance caused by burning rubbish, etc. at Lucky Stores, Inc., 1140 Lincoln Avenue. Petition of Leonard Rose and other residents of Blewett Avenue, protesting the smoke nuisance from incinerator in back of Lucky Store at 1140 Lincoln Avenue, is presented. Councilman Watson, Chairman of the Committee on Public Health and Safety, reports that said Committee made an investigation of said complaint on July 7 and July 8, 1954. William E. Watson, Attorney at Law, appears on behalf of Lucky Stores, Inc. General discussion is had with Thomas McGowan, Public Health Engineer, Robert E. Cassin, City Attorney, and others. Councilman Watson proposes and moves adoption of resolution that said complaint be referred to the City Attorney for investigation and meeting with representatives of the Lucky Stores, Inc., and the complainants, seconded by Councilman Hathaway, and adopted:

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

Proposed Rezoning
12th St. Et Al

Report and recommendation of the City Planning Commission,
pursuant to Section 9112.1 (b) of the San Jose Municipal Code, that certain
real property located on the W. side of 12th Street, the E. and W. sides of
13th, 14th, 15th, 16th, and 17th Streets between Santa Clara Street and San
Fernando Street, be rezoned from R-2 Residence District to C Commercial
District (Professional-Office), is read. Councilman Hathaway proposes and
moves adoption of resolution that 8:00 o'clock P.M. August 9, 1954, Council
Chambers, City Hall, be fixed as time and place for the purpose of con-
sidering and discussing said proposed rezoning, pursuant to Section 9112.1
of the San Jose Municipal Code, seconded by Councilman Watson and adopted:

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

Proposed Rezoning
NE Side N. 4th St.

Report and recommendation of the City Planning Commission, pur-
suant to Section 9112.1(c) of the San Jose Municipal Code, that certain
real property along the NE. side of N. 4th Street, from the westerly pro-
longation of the terminus of N. 5th Street to a point 1179.75' northerly,
be not rezoned from R-2 and R-3 Residence Districts to M-1 Manufacturing
District, with the reasons therefor, is read. Councilman Hathaway proposes
and moves adoption of resolution that 8:00 o'clock P.M., August 2, 1954,
Council Chambers, City Hall, be fixed as time and place for the purpose
of considering and discussing said proposed rezoning, pursuant to Section
9112.1 of the San Jose Municipal Code, seconded by Councilman Santora,
and adopted:

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

Accepting Roadway
From State

Recommendation of the City Planning Commission, that a portion
of newly constructed road connection lying westerly of Route 69 and north-
erly of Gish Road, together with the right-of-way and appurtenances thereof,
all as described therein, is read. Councilman Foley proposes and moves
adoption of resolution that said recommendation be approved, seconded by

Councilman Hathaway and adopted:

Ayes: Councilmen - Foley, Hathaway, Moore, Santora,
Solar, Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - None.

Completion Of
Clark Way

Recommendation of the City Planning Commission that sufficient property be acquired to complete the installation of roadway for that portion of Clark Way between Newport Avenue and Cottle Avenue in order to provide adequate roadway width for movement of traffic, is read. General discussion is had with E. A. Williams, Assistant Director of Planning, the City Engineer and others. Councilman Santora proposes and moves adoption of resolution that said recommendation be referred to the Committee on Streets and Sewers for investigation and report, seconded by Councilman Watson and adopted:

Ayes: Councilmen - Foley, Hathaway, Moore, Santora,
Solar, Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - None.

District Line Extension
1125 Minnesota 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 westerly from present location at the NW. corner of Lincoln and Minnesota Avenues to include balance of property at 1125 Minnesota Avenue; said adjustment to extend 42 $\frac{1}{2}$ ' on Minnesota Avenue and 25 $\frac{1}{2}$ ' on rear property line distant 200' at right angles from the N. line of Minnesota Avenue, with the reasons therefor, is read. Councilman Hathaway proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Santora, and adopted:

Ayes: Councilmen - Foley, Hathaway, Moore, Santora,
Solar, Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - None.

Building Adjustment
433 S. 15th St.

Resolution of the City Planning Commission, that the owner of property at 433 S. 15th Street be permitted to erect walls along the N. and S. boundary lines of said property extending from the front of the building to the front property line, said walls to be above 3' in height between the front of the building and a point 6 $\frac{1}{2}$ ' toward the front property line, as shown on plot plan on file in the Department of Building, and is pursuant to an appeal taken under Section 8802 of the San Jose Municipal

Code, is read. Councilman Santora proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Moore, and adopted:

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

Rear Yard Adjustment
3199 Jarvis Rd.

Resolution of the City Planning Commission, by authority of Section 9107.1 of the San Jose Municipal Code, granting a rear yard adjustment to 5' at 3199 Jarvis Road to permit construction of a dwelling with an attached garage, as shown on plot plan on file in the Department of Building, is read. Councilman Watson proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Santora, and adopted:

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

Rear Yard Adjustment
SW Hedding St. & Dana Ave.

Resolution of the City Planning Commission, by authority of Section 9107.1 of the San Jose Municipal Code, granting a rear yard adjustment to 16' at the SW. corner of Hedding Street and Dana Avenue to permit construction of an addition to dwelling, as shown on plot plan on file in the Department of Building, is read. Councilman Watson proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Santora, and adopted:

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

Willow Glen Methodist
Church Sign

Recommendation of the City Planning Commission, as referred on June 28, 1954, that the Willow Glen Methodist Church be permitted to place a directional sign in parkway at SW. corner of Lincoln and Minnesota Avenues conditioned, 1) that said sign have a double facing upon which the church name appears with directional arrow; 2) that said sign be made subject to specifications of the Department of Public Works, which Department is to erect said sign; and 3) that the Willow Glen Methodist Church pay the full cost of said sign and installation thereof, is read. Councilman Hathaway proposes and moves adoption of resolution that said recommendation

be approved, seconded by Councilman Santora, and adopted:

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

Backesto Park
Flag Pole

Recommendation of the City Planning Commission, as referred on June 14, 1954, and pursuant to Section 94 of the Charter, that the Major Randolph T. Zane, Post No. 344, The American Legion, be permitted to install a flag pole in Backesto Park in conjunction with dedication ceremonies held July 4, 1954, is read. Councilman Hathaway proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Santora and adopted:

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

Resolution No. 10476
Tentative Report
Zoning Monterey
Park No. 1

Resolution of the City Planning Commission, adopted July 6, 1954, submitting Tentative Report on zoning annexed area known as "Monterey Park No. 1", is presented. Resolution No. 10476 directing public hearing by the City Planning Commission on Tentative Report of zoning annexed area known as "Monterey Park No. 1", and providing for notice of such hearing, is read and upon motion of Councilman Hathaway, seconded by Councilman Santora, adopted:

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

Proposed Architectural
Control In Industrial
District

Mayor Starbird suggests, and Councilman Hathaway proposes and moves adoption of resolution that the City Planning Commission be directed to consider and report on the feasibility of establishing a new zoning use providing architectural control in industrial districts, seconded by Councilman Solari, and adopted:

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

Resolution No. 10477
Final Zoning
S W G No. 20

Resolution of the City Planning Commission, adopted July 6, 1954, submitting Final Report on zoning annexed area designated "South Willow Glen No. 20", is presented. Resolution No. 10477 directing public hearing

on Final Report of the City Planning Commission on zoning annexed area known as "South Willow Glen No. 20", and providing for notice of such hearing, is read and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

Ayes: Councilmen - Foley, Hathaway, Moore, Santora,
Solarí, Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - None.

Quarterly Report

Quarterly report of the Historic Landmarks Commission for April, May, and June, 1954, is presented and filed.

Proposed Cancellation
Milk Inspection
Agreements

Report of Saul Ruby, M.D., Health Officer, and recommending that certain agreements with the County of Kern, entered into April 8, 1947, and with the City of Watsonville, entered into May 14, 1946, providing for milk inspection services, be cancelled as of October 1, 1954, is read. Councilman Hathaway proposes and moves adoption of resolution that the City Attorney be directed to prepare and submit resolutions cancelling agreements with the County of Kern and the City of Watsonville for milk inspection services, seconded by Councilman Foley and adopted:

Ayes: Councilmen - Foley, Hathaway, Moore, Santora,
Solarí, Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - None.

Payment Due

Certificate of H. J. Flannery, City Engineer, approved by the City Manager that there is due and payable to the General Metals Corporation, Enterprise Division, on contract for furnishing three Dual-Fuel Diesel Engine-Generator Sets and certain State Auxiliary Equipment for the Sewage Treatment Plant, Contract No. 1, a partial payment of \$5,040.00, is read. Councilman Hathaway proposes and moves adoption of resolution that said payment be authorized, seconded by Councilman Foley, and adopted:

Ayes: Councilmen - Foley, Hathaway, Moore, Santora,
Solarí, Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - None.

Ordinance No. 4430
Condemnation Of
Easements
Commercial St.

Ordinance No. 4430, entitled: "An Ordinance Of The City Of San Jose Finding And Determining That The Public Interest And Necessity Require That An Order Of Immediate Possession Be Obtained In The Matter Of The Acquisition Of Certain Easements Necessary For The Laying And Installation Of Certain Storm And Sanitary Sewer Pipe Lines Over And Across A Portion Of

Lot B Of The Augusta Younger Subdivision In Accordance With Resolution No. 10321 Adopted May 3, 1954; Appropriating The Sum Of \$1,500.00 From The San Jose Sewer Fund For The Purpose Of Obtaining Said Order Of Immediate Possession; And Authorizing The City Attorney To Deposit Said Sum Of \$1,500.00 In The Superior Court Of The State Of California In And For The County Of Santa Clara For Said Purposes", is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Foley, passed to print:

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

Resolution No. 10478
16th St.
Preliminary Determination

Resolution No. 10478 preliminarily determining that public convenience and necessity require the improvement of portions of 16th Street between Mission Street and Vestal Avenue, without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931; describing said improvement and setting a time and place of hearing thereon, is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Foley, adopted:

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

Ordinance No. 4431
Purchase Property
(Medina)
Sew. Treat. Plant

Ordinance No. 4431, entitled: "An Ordinance Of The City Of San Jose Finding And Determining That The Public Interest, Convenience, Health And Welfare Requires That Certain Real Property Be Acquired By Said City For Sewage Treatment And Other Municipal Purposes; Authorizing Execution And Performance Of An Agreement For The Purchase Of Said Property By City From John Medina, Et Ux; Setting Forth The Terms And Conditions Of Said Agreement; Appropriating \$15,000 From The 1950 Sewage Treatment Bond Fund For The Purchase Of Said Property; And Authorizing The City Manager And City Auditor To Expend Said Money For Said Purpose", is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Watson, passed to print:

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

Ordinance No. 4432
Purchase Property
(Olinger)
San Carlos St.
Widening

Ordinance No. 4432, entitled: "An Ordinance Authorizing The Mayor And City Manager To Purchase For The Widening Of San Carlos Street And Such Other Municipal Purposes As The City Council May Direct, A Certain Described Parcel Of Real Property From Dayton S. Olinger And Verma Lee Olinger, His Wife; To Deposit In Escrow And Pay The Purchase Price Of Said Real Property And To Pay Necessary Recording, Stamp Tax, Escrow, Title Search And Such Other Fees And Expenses As Are Necessarily Incurred In Connection With Said Purchase; And Appropriating The Sum Of \$3,662.50 From The Special Gas Tax Street Improvement Fund", is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Santora, passed to print:

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

Ordinance No. 4433
Purchase Property
(Bonasera)
San Carlos St. Widening

Ordinance No. 4433, entitled: "An Ordinance Authorizing The Mayor And City Manager To Purchase For The Widening Of San Carlos Street And Such Other Municipal Purposes As The City Council May Direct, A Certain Described Parcel Of Real Property From Michael T. Bonasera And Marye Bonasera, His Wife, And Thomas B. Bonasera And Lillian Bonasera, His Wife; To Deposit In Escrow And Pay The Purchase Price Of Said Real Property And To Pay Necessary Recording, Stamp Tax, Escrow, Title Search And Such Other Fees And Expenses As Are Necessarily Incurred In Connection With Said Purchase; And Appropriating The Sum Of \$4,490.00 From The Special Gas Tax Street Improvement Fund", is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Hathaway, passed to print:

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

Complaint
Condition Of House
676 S. 9th St.

Robert E. Cassin, City Attorney, presents and files report of F. A. Brown, Office Engineer, Department of Building, of inspection made on July 8, 1954 of the premises at 676 S. 9th Street pursuant to complaint filed June 28, 1954 by Wm. MacDonald and others, and advising that said inspection reveals no cause for action whatsoever. Councilman

Hathaway proposes and moves adoption of resolution that said report be accepted and the City Attorney be directed to so advise the complainants, seconded by Councilman Foley, and adopted:

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

Complaint
Westgate Ave.

H. J. Flannery, City Engineer, reports on complaint of Mary G. Terkildsen, and others, filed July 6, 1954, requesting relief from the dirty and dusty condition of Westgate Avenue, and advising that said street has been repaired as much as possible, and by unanimous consent, said report is accepted and filed.

Drainage Facilities
Lenzen Ave.

H. J. Flannery, City Engineer, reports that the drainage facilities requested on November 9, 1953 have been installed on Lenzen Avenue between Stockton Avenue and Montgomery Street. By unanimous consent, said report is accepted and filed.

Ryland Pool

Councilman Watson proposes and moves adoption of resolution that the request of the Health Officer presented July 6, 1953 that a plan be adopted for completion of additional revisions at Ryland Pool, be filed, seconded by Councilman Solari, and adopted:

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

Complaint
Lakehouse Ave.

A. P. Hamann, City Manager, presents and files reports that in response to the complaint of Mary Stenger and others, filed July 6, 1954, the street light on Lakehouse Avenue has been repaired and that the Police Department is patrolling the area. Councilman Hathaway proposes and moves adoption of resolution that said report be accepted and filed, seconded by Councilman Santora, and adopted:

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

Proposed Moving
1027 Polhemus St.

As referred on June 21, 1954, A. P. Hamann, City Manager, recommends and Councilman Hathaway proposes and moves adoption of resolution that bids be invited for moving of city-owned building at 1027 Polhemus Street to the rear of the lot, seconded by Councilman Solari, and adopted:

Ayes: Councilmen - Foley, Hathaway, Moore, Santora,
Solari, Watson and Starbird.
Nees: Councilmen - None.
Absent: Councilmen - None.

Rent City-Owned
Buildings

A. P. Hamann, City Manager, recommends, and Councilman Hathaway proposes and moves adoption of resolution that the city-owned buildings located at 264 Spencer Avenue and 1177 Marise Avenue, not now needed for municipal purposes, be leased at public auction, seconded by Councilman Foley, and adopted:

Ayes: Councilmen - Foley, Hathaway, Moore, Santora,
Solari, Watson and Starbird.
Nees: Councilmen - None.
Absent: Councilmen - None.

Demolition Of
City-Owned Buildings

A. P. Hamann, City Manager, recommends, and Councilman Watson proposes and moves adoption of resolution that bids be invited for the demolition and removal of city-owned buildings, not now needed for municipal purposes located on city-owned land at 212 Alhaden Avenue, 319 N. Morrison Avenue, 365 N. Morrison Avenue, 904 Cinnabar Street, 998 Cinnabar Street and 990 Cinnabar Street, seconded by Councilman Santora, and adopted:

Ayes: Councilmen - Foley, Hathaway, Moore, Santora,
Solari, Watson and Starbird.
Nees: Councilmen - None.
Absent: Councilmen - None.

Proposed Agreement
Route 5

A. P. Hamann, City Manager, presents and files proposed agreement with the State covering State Highway Route 5 between the S. city limits at Downing Street and 4th Street, as transmitted from B. W. Booker, Assistant State Highway Engineer. Councilman Watson proposes and moves adoption of resolution that said proposed agreement be referred to the Committee of the Whole for review and consideration with the City Planning Commission, the City Engineer, and State Highway Engineers, seconded by Councilman Santora, and adopted:

Ayes: Councilmen - Foley, Hathaway, Moore, Santora,
Solari, Watson and Starbird.
Nees: Councilmen - None.
Absent: Councilmen - None.

Denied
Stop Signs At
Bassett & Market Sts.

A. P. Hamann, City Manager, presents and files report of A. B. Philpott, Traffic Analyst, on request that stop signs be installed at the intersection of Bassett and Market Streets, and recommending that

said request be denied at this time. Councilman Hathaway proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Solari, and adopted:

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

Walk-Wait Signals
Approved

A. P. Hamann, City Manager, presents and files recommendation of A. B. Philpott, Traffic Analyst, that Walk-Wait signals be installed at the intersections of Market and Santa Clara Streets, 1st and San Fernando Streets and at 1st and San Carlos Streets. Councilman Hathaway proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Santora, and adopted:

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

Scramble System
Proposed

Councilman Hathaway proposes and moves adoption of resolution that the Traffic Analyst be directed to consider and report on the feasibility of installing the scramble system at the intersection of 1st and Santa Clara Streets, seconded by Councilman Santora, and adopted:

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

Repair Heating
System
Municipal Auditorium

A. P. Hamann, City Manager, presents and files report of the City Engineer that the estimated cost of repairing the Heating System at the Municipal Auditorium is \$12,300.00, and requests that said repair be approved. Councilman Hathaway proposes and moves adoption of resolution that the repair of said Heating System be approved, seconded by Councilman Moore, and adopted:

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

Traffic Signals
24th & Santa Clara Sts.

A. P. Hamann, City Manager, presents and files report of A. B. Philpott, Traffic Analyst regarding the cost of changing the timing schedule of traffic signals at 24th and Santa Clara Streets. Councilman Foley proposes and moves adoption of resolution that the City Manager be

directed to further investigate and report on cost and feasibility of operating said traffic signals all night instead of using flashing lights, seconded by Councilman Watson and adopted:

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

Route 5 Grade Crossing
Financial
Participation

A. P. Hamann, City Manager, recommends and Councilman Hathaway proposes and moves adoption of resolution that the City Manager be directed to advise the property owners adjacent to the spur track in the north industrial area that the City will participate up to \$100,000 toward the cost of construction of grade crossing at intersection of Route 5, if said area will annex to the City, seconded by Councilman Solari, and adopted:

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

Proposed Plans
Fire House
Engine #4

A. P. Hamann, City Manager, presents plans for Fire House, Engine #4 at the SW corner of Minor and Auzerais Avenues, and recommends and Councilman Hathaway proposes and moves adoption of resolution that said plans be referred to the City Engineer, the City Building Official and the Fire Chief for consideration and report, seconded by Councilman Foley, and adopted:

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

Auditor For
Sales Tax Returns

A. P. Hamann, City Manager, recommends and Councilman Hathaway proposes and moves adoption of resolution that an auditor be employed for a period not to exceed two months to audit the Sales Tax returns, seconded by Councilman Solari, and adopted:

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

12th & Martha Sts.
Not Purchased

Mayor Starbird reports, that the Committee of the Whole recommends, and Councilman Hathaway proposes and moves adoption of resolution that the recommendation of the City Planning Commission that property on E. side of S. 12th Street south of Martha Street be purchased for recrea-

tion area, be not approved, seconded by Councilman Watson, and adopted:

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

Settle Claim
(Quist)

Mayor Starbird reports that the Committee of the Whole recommends and Councilman Hathaway proposes and moves adoption of resolution that the settlement of claim of Anna L. Quist for \$499.00 be approved, seconded by Councilman Watson, and adopted:

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

Committee of the Whole
Meeting

Mayor Starbird announces that the Committee of the Whole will meet at 4:00 o'clock P.M., July 19, 1954, Hotel Sainte Clairs.

Salary Increases

Council now considers communication from the City Manager, filed July 6, 1954, recommending certain salary increases for the City Building Official, the City Treasurer, the Housing Director, the Director of Planning, the Assistant City Manager and the City Auditor. Councilman Solari proposes and moves adoption of resolution that said recommendation of the City Manager providing certain salary increases for the City Building Official, the City Treasurer, the Housing Director, the Director of Planning, the Assistant City Manager and the City Auditor, be approved, seconded by Councilman Hathaway. Councilman Watson proposes and moves adoption of resolution that said resolution be amended to provide that a vote be taken on the proposed salary increase of each officer separately and for lack of a second, said motion fails. Councilman Watson proposes and moves adoption of resolution that said resolution be amended to provide that said proposed salary increases be considered at budget time, seconded by Councilman Foley and not adopted:

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

Salary Increases

The City Clerk now calls the roll on the resolution that said recommendation of the City Manager providing certain salary increases for the City Building Official, the City Treasurer, the Housing Director, the Director of Planning, the Assistant City Manager and the City Auditor, be approved, and said resolution is adopted:

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

Prepare Ordinance
Salary Increases

Councilman Solari proposes and moves adoption of resolution that the City Attorney be directed to prepare and submit proposed ordinance providing for salary increases for the City Building Official, the City Treasurer, the Housing Director, the Director of Planning, the Assistant City Manager and the City Auditor, seconded by Councilman Hathaway, and adopted:

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

Resolution No. 10479
Lincoln Court
Ordering Plans

Resolution No. 10479 directing the preparation of plans and specifications and a map showing proposed boundaries of district to be assessed for improvement of portions of Lincoln Court between the W. line of Lincoln Avenue and the E. line of Radio Avenue, is read and upon motion of Councilman Foley, seconded by Councilman Solari, adopted:

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

Resolution No. 10480
Jansen Ave.
Preliminary Determination

Resolution No. 10480 preliminarily determining that public convenience and necessity require the improvement of portions of Jansen Avenue between the W. line of Curtis Avenue and the W. line of Bird Avenue, without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931; describing said improvement and setting a time and place of hearing thereon, is read and upon motion of Councilman Solari, seconded by Councilman Foley, adopted:

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

Resolution No. 10481
31st St.
Adopting Plans

Resolution No. 10481 adopting plans and specifications for the improvement of portions of 31st Street from the S. line of Santa Clara Street to the N. line of San Antonio Street, is read and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

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


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

Adjourn

Council now adjourns at 10:22 o'clock P.M.


GEORGE STARBIRD
MAYOR

ATTEST:


DOROTHY COVILL
CITY CLERK

Monday

San Jose, California

July 19, 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 - Foley, Hathaway, Moore, Santora, Solari, Watson and Starbird.

Absent: Councilmen - None.

Invocation

Invocation is given by Reverend Joyce W. Farr.

Minutes

The Minutes of sessions of December 28 and December 30, 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 sessions of January 4, 11, 18, 25, 27, February 1, 8, 15, 23, March 1, 8, 15, 22, 11:00 o'clock A.M. and 8:00 o'clock P.M. March 29, April 5, 4:00 o'clock and 8:00 o'clock P.M. April 12, April 19, 26, May 3, 10, 17, 18, 24, June 1, 7, 14, 21, 28, July 6 and 12, 1954, be deferred, seconded by Councilman Solari and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - None.

Bids
Forest-Bascom
Storm Sewers

Clerk reports receipt of five sealed proposals or bids for construction of storm sewers and appurtenances in the San Jose Storm Sewer System, Forest-Bascom area. Councilman Foley proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Hathaway and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - None.

Bids

Clerk now opens said sealed proposals or bids.

Approximate Quantity	Item	Bidders							
		P. And E., Inc. Price		A.J. Peters & Son Price		M.L. Raymond Price		Watson Bros. Contractors Price	
		\$	Cts.	\$	Cts.	\$	Cts.	\$	Cts.
65 lin.ft.	8" plain concrete pipe, in place per lin. ft.	2.19		1.90		2.00		2.72	
313 lin.ft.	15" reinforced concrete pipe, in place per lin. ft.	6.01		4.90		5.25		4.38	
526 lin.ft.	24" reinforced concrete pipe, in place per lin. ft.	7.11		6.00		5.25		5.20	

2 standard clay brick manholes with covers & rings, in place, each	200.00	225.00	180.00	200.00
4 standard concrete inlet structures complete with frames, grates & hoods, in place, each	105.00	120.00	90.00	110.00
GRAND TOTAL	\$6,583.34	\$5,743.20	\$5,254.75	\$5,122.94

Guarantees: P. and E., Inc. - bid bond of United Pacific Insurance Company in amount of 10% of bid; A. J. Peters & Son - bid bond of United Pacific Insurance Company in amount of 10% of bid; M. L. Raymond - bid bond of The Employers' Liability Assurance Corporation, Ltd. in amount of \$600.00; Watson Bros. - bid bond of Hartford Accident & Indemnity Company in amount of 10% of bid.

Bids
Forest-Bascom
Storm Sewers

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

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

Proposed Rezoning
SW 1st & Hobson Sts.
SE 1st & Jackson Sts.

This being the time and place fixed for public hearing for the purpose of considering and discussing the project pursuant to Section 9112.1(b) of the San Jose Municipal Code, for the rezoning from C Commercial District (Professional-Office), to C-1 Commercial District all or a part of certain real property located on the southwest corner of N. 1st Street and Hobson Street, being 107.50' on N. 1st Street and 106.15' on Hobson Street; and certain real property located on the southeast corner of N. 1st Street and Jackson Street, being 50' on N. 1st Street and 137.50' on Jackson Street, City Clerk reports that no written protest to said proposed rezoning has been filed. Albert J. Ruffo, Attorney at Law, appears on behalf of the Tide Water Associated Oil Co. in favor of said proposed rezoning. Councilman Watson proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Moore and adopted:

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

Ordinance No. 4434
Rezoning
SW 1st & Hobson Sts.
SE 1st & Jackson Sts.

Ordinance No. 4434, entitled: "An Ordinance Amending The San Jose Municipal Code, By Adding A New Section Thereto To Be Numbered 9102.44217, Rezoning The Southwest Corner Of First And Hobson Streets And The Southeast Corner Of First And Jackson Streets", is read and upon motion

of Councilman Watson, seconded by Councilman Hathaway, passed to print:

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

Proposed Rezoning
SW Side Lincoln Ave.
Near Curtner Ave.

This being the time and place fixed for public hearing for the purpose of considering and discussing the proposal, pursuant to Section 9112.1(c) of the San Jose Municipal Code, for the rezoning from R-1 and R-2 Residence District to C-1 Commercial District, all or a part of certain real property located on the southwesterly side of Lincoln Avenue from a point 204' northwesterly of Curtner Avenue to a point 79' northwesterly thereof, having a depth of 182.14', City Clerk reports that no written protest to said proposed rezoning has 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 Hathaway and adopted:

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

Ordinance No. 4435
Rezoning
SW Side Lincoln Ave.
Near Curtner Ave.

Ordinance No. 4435, entitled: "An Ordinance Amending The San Jose Municipal Code, By Adding A New Section Thereto To Be Numbered 9102.44218, Rezoning The Southwest Side Of Lincoln Avenue From A Point 204 Feet Northwest Of Curtner Avenue To A Point 79 Feet Northwesterly Thereof", is read and upon motion of Councilman Hathaway, seconded by Councilman Foley, passed to print:

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

Proposed Rezoning
SE Minnesota Ave.
& W.P.R.R.

This being the time and place fixed for public hearing for the purpose of considering and discussing the proposal, pursuant to Section 9112.1(c) of the San Jose Municipal Code, for the rezoning from R-1 Residence District to C-1 Commercial District, all or a part of certain real property located on the southeast corner of the intersection of Minnesota Avenue and the right-of-way of the Western Pacific Railroad Company, City Clerk reports that no written protest to said proposed

rezoning has been filed. Paul T. Gallagher, Attorney at Law, appears with Peter J. Pizzo, petitioner, in favor of said proposed rezoning. No person is present desirous of being heard. Councilman Hathaway proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Watson, and adopted:

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

Ordinance No. 4436
Rezoning
SE Minnesota Ave.
& W.P.R.R.

Ordinance No. 4436, entitled: "An Ordinance Amending The San Jose Municipal Code, By Adding A New Section Thereto To Be Numbered 9102.44219, Rezoning The Southeast Corner Of The Intersection Of Minnesota Avenue And The Western Pacific Railroad Company Right-Of-Way", is read and upon motion of Councilman Hathaway, seconded by Councilman Santora, passed to print:

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

Hearing On Final Zoning
Anne Darling No. 7

This being the time and place designated by Resolution No. 10421, adopted June 14, 1954, for the purpose of considering and discussing the Final Report of the City Planning Commission for the zoning of the uninhabited annexed area known as Anne Darling No. 7, no person is present desirous of being heard. Councilman Hathaway proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Watson, and adopted:

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

Ordinance No. 4437
Zoning
Anne Darling No. 7

Ordinance No. 4437, entitled: "An Ordinance Amending Article IX, (Zoning) Chapter I Of The San Jose Municipal Code, By Adding Thereto A New Section, To Be Designated 9102.24214", is read and upon motion of Councilman Hathaway, seconded by Councilman Santora, passed to print:

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

Additional Funds
Fourth of July

Request of Russell E. Pettit, Manager, San Jose Chamber of Commerce, requesting approval of an additional expenditure of \$300.00 for

cost of excess liability insurance provided for the fireworks display on the 4th of July, is read. Councilman Watson proposes and moves adoption of resolution that said request be referred to the City Manager for consideration and report, seconded by Councilman Hathaway, and adopted:

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

Proposed Adoption
1952 Plumbing Code

Communication from the Associated Plumbing Contractors of Santa Clara County, urging that the City adopt the 1952 Edition of the Western Plumbing Officials' Uniform Plumbing Code, with minor revisions, is read. Cherry L. Cecchini appears against the adoption of said 1952 Plumbing Code. Councilman Hathaway proposes and moves adoption of resolution that request for the adoption of the 1952 Edition of the Western Plumbing Officials' Uniform Plumbing Code be referred to the Committee on Streets and Sewers and the City Building Official, for consideration and report, seconded by Councilman Santora, and adopted:

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

Directional Signs
Historic Properties

Communication from Constance B. Kambish, Secretary-Treasurer, Historic Properties, a corporation, requesting that directional signs be placed at the intersections of W. Santa Clara Street and Almaden Avenue, and at S. 1st Street and Alma Avenue, indicating the location of the New Almaden Museum, and communication from Jimmie Schneider, Treasurer, New Almaden Historical Society, requesting that if said request of the Historic Properties, a corporation, is granted, then the same permission also be granted to the New Almaden Historical Society, are read. Councilman Hathaway proposes and moves adoption of resolution that said requests be referred to the City Planning Commission for consideration and report, pursuant to Section 94 of the Charter, seconded by Councilman Watson and adopted:

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

Peninsula Division
League of Calif. Cities
Dinner Meeting

Notification of meeting of the Peninsula Division, League of California Cities on July 22, 1954, at the Old Plantation, Los Altos, is read and filed.

Proposed False Arrest
Insurance, Etc.

In response to the Mayor's call for oral petitions, John E. Thorne, Attorney at Law, renews request presented July 6, 1954, that the City furnish false arrest insurance for members of the Police Department, also counsel to represent police officers who are defendants in present and future suits. General discussion is had with the City Attorney. Councilman Hathaway proposes and moves adoption of resolution that it is the Council's intention to employ outside legal counsel to represent police officers in litigation when the need arises, seconded by Councilman Watson and adopted:

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

Ordinance No. 4425
Lease & Purchase
(Gianni Property)

Ordinance No. 4425, entitled: "Ordinance Of The City Of San Jose Authorizing Execution Of An Agreement With Laura Gianni Wherein (a) City Agrees To Buy And Laura Gianni Agrees To Sell To City 6.23 Acres More Or Less Of Land, Hereinafter Described, For \$24,500.00 (b) City Buys From Laura Gianni, For \$7,575.00, Options To Purchase 9 Other Parcels Of Land, Each Being 6.23 Acres More Or Less, Hereinafter Described, For The Price of \$24,500.00 Per Each Parcel, And (c) City Agrees To Lease From Laura Gianni And Laura Gianni Agrees To Lease To City The Last Mentioned 9 Parcels Of Land (Excepting Those Purchased Under Said Options) For An Eight Year Term Commencing On Or About November 1, 1955, The Term Of Lease For Any Parcel To Terminate On Its Purchase By City, For Annual Rental Of \$1,175.00 Per Each Parcel Per Year; Appropriating \$24,700.00 From The Unappropriated Surplus Of The Federal Airport Aid Project No. 9-04-001-203 Fund For The Purchase Of The 6.23 Acre Parcel First Hereinabove Mentioned And For Closing Costs Incidental Thereto; Appropriating \$7,575.00 From Said Fund For The Purchase Of The Above Mentioned Options; Authorizing The City Manager To Expend Said Moneys For The Purposes For Which They Are Appropriated; Authorizing The Mayor And City Manager To Fully Perform The Aforesaid

Agreement; Repealing Ordinance No. 4094 And Ordinance No. 4095;
Repealing Resolution No. 9609; Finding And Declaring That The Public
Interest, Convenience And Necessity Requires All Of The Above To Be
Done For The Expansion, Development And Operation Of The San Jose
Municipal Airport", passed to print July 6, 1954, is given final
reading and upon motion of Councilman Hathaway, seconded by Council-
man Moore, adopted:

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

Ordinance No. 4429
Closing Alley
N. of Keyes St.

Ordinance No. 4429, entitled: "An Ordinance Of The City Of
San Jose Closing And Abandoning A Certain Unnamed Public Alley 15 Feet
More Or Less In Width Running Between Lots 5, 6, 7, 8, 9, 10, 11, 12,
13, 14, 15 And 16 Of Block 42, As Said Lots And Block Are Shown On The
Map Entitled 'Map Of The Lands Of The Vineyard Homestead Association',
Recorded In Book A, Page 78, Of Maps, Santa Clara County Records, In
The Office Of The County Recorder, Santa Clara County, California;
And Closing And Abandoning A Certain Portion of Fifth Or Main Street
15 Feet More Or Less From The Easterly Line Thereof Between The Northerly
Line Of Keyes Street And The Northerly Line Of Block 42 Of The Vine-
yard Homestead Association, As Said Block Is Shown Upon That Certain
Map Entitled 'Map Of The Lands Of The Vineyard Homestead Association'
Hereinabove Mentioned", passed to print July 12, 1954, is given final
reading and upon motion of Councilman Hathaway, seconded by Councilman
Foley, adopted:

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

Ordinance No. 4430
Condemnation Of
Easements
Commercial St.

Ordinance No. 4430, entitled: "An Ordinance Of The City Of
San Jose Finding And Determining That The Public Interest And Necessity
Require That An Order Of Immediate Possession Be Obtained In The Matter
Of The Acquisition Of Certain Easements Necessary For The Laying And
Installation Of Certain Storm And Sanitary Sewer Pipe Lines Over And
Across A Portion Of Lot B Of The Augusta Younger Subdivision In