

COUNCIL MINUTES

AUG. 9, 1954 - AUG. 30, 1954

37

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

City Manager
Vacation

Request of A. P. Hamann, City Manager, for leave of absence with pay from August 13 to August 16, 1954, for portion of annual vacation, is presented. Councilman Moore proposes and moves adoption of resolution that said request be granted, seconded by Councilman Santora, and adopted:

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

Ordinance No. 4457
Exempting Part-Time
Employees From
Salary Increase

Recommendation of the Civil Service Commission and transmitting proposed ordinance amending Ordinance No. 4370 to provide exemption of part-time employees from receiving automatic salary increases, is presented. Ordinance No. 4457, entitled: "An Ordinance Of The City Of San Jose Amending Section 8 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' To Except From The Provisions Of Said Section 8 All Persons Holding Offices Or Positions In The Classes Set Forth And Designated In Sections 5.159, 5.161, 5.170, 5.171, 5.172, 5.173, 5.174, 5.175, 5.176, 5.177 Of Said Ordinance No. 4370 ", is presented and upon motion of Councilman Hathaway, seconded by Councilman Solari, passed to print:

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

Monthly Report

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

Contract Bonds

Councilman Hathaway proposes and moves adoption of resolution that in contract with Watson Bros. for construction of storm sewers in Forest-Bascom area, the bond for faithful performance be fixed at \$1,300 and the bond of Watson Bros. as principal, and Hartford Accident and Indemnity Co., as surety, to the City of San Jose, in the amount of \$2,600, securing claims of materialmen and laborers, be approved, seconded by Councilman Watson, and adopted:

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

Resolution No. 10538
Roycott Way
Adopting Plans

Resolution No. 10538 adopting plans and specifications for the improvement of portions of Roycott Way between the center line of Lincoln Avenue and the center line of Newport Avenue, is read and upon motion of Councilman Solari, seconded by Councilman Watson, adopted:

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

Resolution No. 10539
Roycott Way
Preliminary
Determination

Resolution No. 10539 preliminarily determining that public convenience and necessity require the improvement of portions of Roycott Way between the center line of Lincoln Avenue and the center line of Newport 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 Watson, seconded by Councilman Hathaway, adopted:

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

Resolution No. 10540
8th St.
Adopting Plans

Resolution No. 10540 adopting plans and specifications for the improvement of a portion of 8th Street between the N. line of Rosa Street and its northerly termination thereon, is read and upon motion of Councilman Hathaway, seconded by Councilman Watson, adopted:

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

Resolution No. 10541
8th St.
Preliminary
Determination

Resolution No. 10541 preliminarily determining that public convenience and necessity require the improvement of portions of 8th Street between the N. property line of Rosa Street and its northerly termination thereon, 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. 10542
Pine Ave.
Adopting Plans

Resolution No. 10542 adopting plans and specifications for the improvement of portions of Pine Avenue between the W. line of Lincoln Avenue and the westerly City Limit line at Cottle Avenue, is read and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Resolution No. 10543
Pine Ave.
Preliminary
Determination

Resolution No. 10543 preliminarily determining that the public convenience and necessity require the improvement of portions of Pine Avenue between the W. line of Lincoln Avenue and the westerly City Limit line at Cottle 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 for hearing thereon, is read 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.

Resolution No. 10544
Benjamin Cory School
Adopting Plans
(Electroliers)

Resolution No. 10544 adopting plans and specifications for the improvement of Benjamin Cory Elementary School, San Jose Unified School District, by the installation of electroliers, is read and upon motion of Councilman Solari, seconded by Councilman Watson, adopted:

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

Resolution No. 10545
Pine Ave. Et Al
Adopting Plans

Resolution No. 10545 adopting plans and specifications for the improvement of portions of Pine Avenue, Willow Glen Way and Bird Avenue all adjacent to the San Jose Unified School District property, 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.

Change In
Council Committees

Mayor Starbird announces that the membership of the Committee on License is changed to Councilman Moore, Chairman and Councilman Santora and Councilman Watson, members, and the Committee on Finance is changed to Councilman Hathaway, Chairman and Councilman Foley and Solari, members.

Alcoholic Beverage
Control Act

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

Proposed Ordinance
For Use Tax

Mayor Starbird reports that the Committee of the Whole recommends, and Councilman Hathaway proposes and moves adoption of resolution that the City Attorney be directed to prepare and submit a proposed ordinance providing for collection of use tax, seconded by Councilman Solari, and adopted:

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

9th St. & Mission St.
Proposed Closing

Mayor Starbird reports that the Committee of the Whole, at its meeting of August 9, 1954, recommends and Councilman Watson proposes and moves adoption of resolution that the City Attorney be directed to negotiate with Tri-Valley Packing Association relative to the proposed closing of portions of N. Ninth Street and Mission Street, seconded by Councilman Hathaway, and adopted:

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

Proposed Cover
Baseball Stadium

Mayor Starbird reports that the Committee of the Whole recommends, and Councilman Hathaway proposes and moves adoption of resolution that the Committee on Lands, Parks and Public Structures be directed to study and report on cost of constructing roof over grandstand at the Municipal Baseball Stadium, seconded by Councilman Santora, and adopted:

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

Negotiate For Property
Keyes St. Bridge

A. P. Hamann, City Manager recommends, and Councilman Hathaway proposes and moves adoption of resolution that the City Manager be authorized to negotiate for acquisition of properties needed for the improvement of the Keyes Street Bridge, seconded by Councilman Moore, and adopted:

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

Oral Petitions

Councilman Watson complains that too many items are brought up under oral petitions without appearing on the Council's agenda.

Salary Increase Requests To Be Referred To Com. On Finance

Councilman Hathaway proposes and moves adoption of resolution that any and all requests for salary increases be referred to the Committee on Finance for study and report to the Council, seconded by Councilman Moore, and adopted:

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

Adjourn

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

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

Adjourn

Council now adjourns at 9:22 o'clock P.M.

ATTEST: *George Coville*
GEORGE COVILLE
CITY CLERK

George Starbird
GEORGE STARBIRD
MAYOR

Monday

San Jose, California

August 16, 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 - Moore, Santora, Watson and Starbird.
Absent: Councilmen - Foley, Hathaway and Solari.

Invocation

Invocation is given by Reverend Merle L. Roark.

Minutes

Councilman Watson proposes and moves adoption of resolution that consideration of the Minutes of sessions of January 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, 12, 19, 26, August 2, 6, and 9, 1954, be deferred, seconded by Councilman Moore, and adopted:

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

Bids

Municipal Auditorium Heating System

Clerk reports receipt of three sealed proposals or bids for improvement of the Municipal Auditorium heating system by repairs to and replacement of existing heating equipment. Councilman Watson proposes and moves adoption of resolution that said sealed proposals or bids be opened, seconded by Councilman Moore and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Items	Bidders		
	Everett Miller	P.J. Rauch Co.	Wm. F. Serpa
	Price	Price	Price
	\$ Cts.	\$ Cts.	\$ Cts.
Furnishing & installation of all labor, materials & equipment according to specifications for repairing heating system at Municipal Auditorium.	11,072.00	8,045.00	6,432.00

Guarantee: Everett Miller - bid bond of United Pacific Insurance Company in amount of 10% of bid; P. J. Rauch Co. - bid bond of United Pacific Insurance Company in amount of 10% of bid; Wm. F. Serpa - bid bond of Connecticut Fire Insurance Company in amount of 10% of bid.

Bids

Municipal Auditorium Heating System

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 Moore, and adopted:

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

Councilman Solari
Enters

Councilman Solari now enters and is seated.

Sale of Buildings
994 Cinnabar St.

This being the time and place fixed for sale at public auction of the city-owned residential buildings located at 994 Cinnabar Street, to be demolished and removed from the site, John B. Massen, Assistant City Manager, invites bids. O. L. Anderson bids \$5.00 for said buildings. No further bid is heard, whereupon bidding is closed. Councilman Moore proposes and moves adoption of resolution that bid of O. L. Anderson, highest responsible bid for sale of city-owned buildings at 994 Cinnabar Street, be accepted, seconded by Councilman Watson, and adopted:

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

Sale of Buildings
998 Cinnabar St.

By unanimous consent, the sale of city-owned buildings located at 998 Cinnabar Street, is deferred for one-half hour.

Sale of Buildings
212 Almaden Ave.
319 & 365 Morrison Ave.
990 Cinnabar St.

This being the time and place fixed for sale at public auction of the city-owned residential buildings located at 212 Almaden Avenue, 319 and 365 Morrison Avenue and 990 Cinnabar Street, to be demolished and removed from the sites, John B. Massen, Assistant City Manager, invites bids. O. L. Anderson bids \$50.00 each for said buildings. No further bid is heard, whereupon bidding is closed. Councilman Watson proposes and moves adoption of resolution that bid of O. L. Anderson, highest responsible bid for sale of said city-owned buildings at 212 Almaden Avenue, 319 and 365 Morrison Avenue and 990 Cinnabar Street, be accepted, seconded by Councilman Moore, and adopted:

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

Maypark No. 4
Hearing

This being the time and place fixed for hearing on the proposed annexation of uninhabited territory described and designated in Resolution No. 10460, adopted July 6, 1954, as Maypark No. 4, Clerk reports that no written protest to said proposed annexation has been filed. No person is

present desirous of filing protest. Ferdinand P. Palla, Assistant City Attorney, presents and files affidavit of Pearce Davies, Associate Planner, dated August 16, 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 as shown on the last equalized assessment roll; 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 Alice G. Wade, of the publication in the San Jose News on July 19 and 26, 1954, of Resolution No. 10460; affidavit of John S. Baggerly of the publication in the Los Gatos Daily Times on July 19 and 26, 1954, of Resolution No. 10460; and affidavit of Dorothy Covill, City Clerk, showing the names and addresses of owners of property to whom notices were mailed regarding the proposed annexation and date and time of hearing thereon. Councilman Moore proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Watson, and adopted:

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

Resolution No. 10546
Maypark No. 4
Determining Protest

Resolution No. 10546 finding and determining that protest to the proposed annexation to the City of certain uninhabited territory designated Maypark No. 4 has not been made by owners of one-half of the value of such territory as shown by the last equalized assessment roll, nor by public and private owners of one-half of the value of such territory as determined by the Council, is presented by the Assistant City Attorney, and upon motion of Councilman Moore, seconded by Councilman Watson, adopted:

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

Ordinance No. 4458
Annexing
Maypark No. 4

Ordinance No. 4458, entitled: "An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain Uninhabited

Territory Designated As 'Maypark No. 4' And Herein Described, And Herein Annexing Said Territory To Said City Of San Jose", is presented by the Assistant City Attorney and upon motion of Councilman Watson, seconded by Councilman Moore, passed to print:

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

14th St.
Hearing

This being the time and place fixed by Resolution No. 10504, adopted July 26, 1954, when and where any person may appear and show cause, if any they have, why portions of 14th Street between the center line of Mission Street and the center line of Taylor Street, also a portion of Taylor Street 12' east and west of 14th Street should not be improved without further compliance with the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", Clerk advises that no written protests to said improvement have been filed. No person is present desirous of being heard. Councilman Watson proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Moore, and adopted:

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

Resolution No. 10547
14th St.
Convenience &
Necessity

Resolution No. 10547 finding and determining that the public convenience and necessity require the improvement of portions of 14th Street between the center line of Mission Street and the center line of Taylor Street, also a portion of Taylor Street 12' east and west of 14th Street; that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply; and determining that such work and improvement shall proceed under the provisions of Chapter 6A of Article II of the San Jose Municipal Code, is read and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

Resolution No. 10548
14th St.
Intention to Improve

Resolution No. 10548 of intention that the public interest, convenience and necessity require and that the Council intends to order

the improvement of portions of 14th Street between the center line of Mission Street and the center line of Taylor Street, also a portion of Taylor Street 12' east and west of 14th Street; describing said work and improvement, finding and declaring that said improvements are of more than local or ordinary public benefit and that the cost and expenses 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 expenses; declaring applicable laws and procedures; declaring that said improvement 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 Watson, seconded by Councilman Moore, adopted:

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

20th St.
Hearing

This being the time and place fixed by Resolution No. 10507, adopted July 26, 1954, when and where any person may appear and show cause, if any they have, why portions of 20th Street between the center line of Jackson Street and a line 15' north and parallel to the center line of Taylor Street, should not be improved without further compliance with the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", Clerk advises that no written protests to said improvement have been filed. No person is present desirous of being heard. Councilman Watson proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Moore, and adopted:

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

Resolution No. 10549
20th St.
Convenience &
Necessity

Resolution No. 10549 finding and determining that the public convenience and necessity require the improvement of portions of 20th Street between the center line of Jackson Street and a line 15' north and parallel to the center line of Taylor Street; that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply; and determining that such work and improvement shall proceed under

the provisions of Chapter 6A of Article II of the San Jose Municipal Code, is read and upon motion of Councilman Solari, seconded by Councilman Moore, adopted:

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

Resolution No. 10550
20th St.
Intention to
Improve

Resolution No. 10550 of intention that the public interest, convenience and necessity require and that the Council intends to order the improvement of portions of 20th Street between the center line of Jackson Street and a line 15' north and parallel to the center line of Taylor Street; describing said work and improvement, finding and declaring that said improvements are of more than local or ordinary public benefit and that the cost and expenses 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 expenses; declaring applicable laws and procedures; declaring that said improvement 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 Solari, seconded by Councilman Moore, adopted:

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

Delmas & Spencer Aves.
Hearing

This being the time and place fixed by Resolution No. 10491, adopted July 26, 1954, when and where any and all persons having any objections to the proposed improvement of portions of Delmas Avenue from the S. property line of Willow Street to Spencer Avenue, also portions of Spencer Avenue from Delmas Avenue to the southwesterly line of Tract No. 302, Graham Moulton Subdivision in accordance with said Resolution No. 10491, may appear and be heard, the Clerk reports that no written protest to said work and improvement has been filed. No person is present desirous of being heard. Councilman Moore proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Watson, and adopted:

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

Resolution No. 10551
Spencer & Delmas Aves.
Ordering The Work

Resolution No. 10551 ordering the improvement of portions of Delmas Avenue from the S. property line of Willow Street to Spencer Avenue, also portions of Spencer Avenue from Delmas Avenue to the southwesterly line of Tract No. 302, Graham Moulton Subdivision, is read and upon motion of Councilman Moore, seconded by Councilman Watson, adopted:

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

Public Hearing
Budget F.Y. 1954-55

This being the time and place fixed for public hearing on the budget for the fiscal year beginning September 1, 1954 and ending August 31, 1955, John B. Massen, Assistant City Manager presents and files Revised Budget for F. Y. 1954-55, and "Recapitulation of Council's budget decisions", dated August 16, 1954. Mayor Starbird now declares said public hearing open. W. B. Ward, protests the expenditures for the Department of Health and urges consideration of the consolidation of the City and County Health Departments. John E. Thorne, Attorney at Law, appearing on behalf of City Employee Locals, presents and files communication dated August 13, 1954, urging consideration of a 10% salary increase for all city employees; increase in salaries of the positions of Fire Master Mechanic, Communications Officers, Laborers, Utility Workers and Truck Drivers; providing a health and welfare plan for all city employees; a uniform allowance of \$50 yearly for members of the Police and Fire Departments; reduction of the work week of members of the Fire Department from 70 hours to 56 hours per week; false arrest insurance be furnished for members of the Police Department, and the creation of an advisory committee to study and recommend on city employee salaries, fringe benefits and other problems. No other person is present desirous of being heard. Councilman Santora proposes and moves adoption of resolution that said hearing be continued to August 23, 1954, seconded by Councilman Moore, and adopted:

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

Sale of Buildings
998 Cinnabar St.

This being the time and place fixed for sale at public auction of the city-owned residential buildings located at 998 Cinnabar Street, to be demolished and removed from the site, John B. Massen, Assistant City Manager, invites bids. O. L. Anderson bids \$5.00 for said buildings. No further bid is heard, whereupon said bidding is closed. Councilman Watson proposes and moves adoption of resolution that bid of O. L. Anderson, highest responsible bid for the sale of city-owned buildings at 998 Cinnabar Street, be accepted, seconded by Councilman Moore, and adopted:

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

Ordinance No. 4459
Selling City-Owned
Buildings

Ordinance No. 4459, entitled: "An Ordinance Confirming The Sale Of Certain City Owned Residential Buildings Located At 212 Almaden, 319 Morrison, 365 Morrison, 994 Cinnabar, 998 Cinnabar, 990 Cinnabar, San Jose, California, Not Required For Municipal Purposes And Setting Forth The Terms And Conditions Of Sale", is read and upon motion of Councilman Watson, seconded by Councilman Moore, passed to print:

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

Protest to Women
Traffic Officers

Communication from Mrs. Ramirez, 969 Broadleaf Lane, objecting to proposed employment of women in the Police Department to enforce parking meter regulations is presented and filed.

State Funds
Health Dept.

Notification from the State Department of Public Health of Federal funds available for the Health Department in amount of \$3,519.00 is presented. Councilman Santora proposes and moves adoption of resolution that said funds be accepted, seconded by Councilman Watson, and adopted:

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

Hawthorne Way
Complaint

Complaint of Frank L. Hughs relative to the condition of Hawthorne Way between San Pedro Street and the Guadalupe River, is read. Councilman Watson proposes and moves adoption of resolution that said complaint be referred to the City Engineer, for consideration and report on August 23, 1954, seconded by Councilman Santora, and adopted:

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

Proclamation

Request of the California State Button Society that September 1 through 5, 1954, be proclaimed as "Button Week" in San Jose, is read. Councilman Watson proposes and moves adoption of resolution that said request be granted and the Mayor be authorized to so proclaim, seconded by Councilman Moore, and adopted:

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

Claims for Injuries

Claims of Antonio Chavez in amount of \$25,000 for alleged injuries received on May 12, 1954, near 3rd and St. John Streets, and of Isabel James on behalf of Carol James, a minor, in amount of \$6,500 for alleged injuries received on July 5, 1954, in front of 666-668 Vendome Street, are presented. Councilman Moore proposes and moves adoption of resolution that said claims be referred to the City Attorney for consideration, seconded by Councilman Watson and adopted:

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

Invitation
Parade

Invitation to attend the celebration of the Mexican Honorary Commission to be held on September 12, 1954 consisting of a parade at 1:00 o'clock P.M. and commemoration program at 9:00 o'clock P.M. at the Municipal Auditorium, is read. Councilman Watson proposes and moves adoption of resolution that said invitation be accepted, seconded by Councilman Moore, and adopted:

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

Request For
Street Light

Request of C. L. Rawson and others, that a street light be installed at the intersection of N. 10th and Vestal Streets, is read. Councilman Santora proposes and moves adoption of resolution that said request be referred to the City Engineer for consideration and report, seconded by Councilman Watson, and adopted:

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

Assignment Of Contract
Hedding-Rosa St. Bridge

Communication from H. H. Anderson requesting permission to assign contract for the construction of the Rosa-Hedding Street Bridge, to the Bank of America, NT & SA, Hayward Branch, Hayward, California, is read. Councilman Santora proposes and moves adoption of resolution that said request be referred to the City Attorney and the City Engineer for consideration and report, seconded by Councilman Moore, and adopted:

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

Reduction In Budget
Recreation Dept.

Communication from the Recreation Commission, requesting re-consideration of the 10 percent reduction in the budget for the fiscal year 1954-55 of the Recreation Department, is presented, whereupon by unanimous consent, said communication is filed.

Card Tables
On Streets

Dixon Q. Dern, Chairman, "Paul V. Birmingham for Congress" Committee, requests permission to maintain card tables in front of Hale's, at 1st and San Carlos Streets and in front of Penny's at 1st and Santa Clara Streets, to be used for selling tickets to dance and political rally, said tables to be maintained from August 25, 1954 to September 10, 1954. General discussion is had. Councilman Santora proposes and moves adoption of resolution that said request be granted subject to 1) approval by the Chief of Police; 2) obtaining permit for said sale of tickets from the Public Welfare Solicitation Commission; 3) filing of Public Liability and Property Damage insurance in form and amounts satisfactory to the City Attorney, and 4) filing of written permission of store managers in front of premises where card table are to be maintained, seconded by Councilman Moore, and adopted:

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

Cambrian No. 2
Annexation

Petition of Frank Bartaldo, Salvatore Cali and others, requesting that pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, certain uninhabited territory described therein be annexed to the City of San Jose, is presented by Joe Tickner. Councilman Watson proposes and moves adoption of resolution that filing of said petition be deferred to August 23, 1954, in order to check the number of registered voters within said territory, seconded by Councilman Santora, and adopted:

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

Plot Plan For
City Health Center

Saul Ruby, M. D., Health Officer, requests permission to display plot plan for the proposed City Health Center building, in order that authorization may be given to hire an architect to prepare plans therefor, and by unanimous consent, he is advised to defer said presentation until the City Manager is present.

Ordinance No. 4444
Directing Traffic
At Scene Of Fires

Ordinance No. 4444, entitled: "An Ordinance Of The City Of San Jose Repealing Section 3303.3 Of The San Jose Municipal Code Relating To Powers Of Firemen To Direct Traffic At Scenes Of Fires", passed to print July 26, 1954, is given final reading. Councilman Santora proposes and moves adoption of resolution that said Ordinance No. 4444 be not finally adopted, seconded by Councilman Watson, and adopted:

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

Ordinance No. 4460
Obedience To Orders
Repealing Code
Provisions

Ordinance No. 4460, entitled: "An Ordinance Of The City Of San Jose Repealing Section 3303.5 Of The San Jose Municipal Code Requiring Compliance With Lawful Orders Or Directions Of Police Or Fire Department Officers In The Direction Of Traffic, is presented by the Assistant City Attorney and upon motion of Councilman Watson, seconded by Councilman Solari, passed to print:

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

Ordinance No. 4454
Zoning S W G No. 20

Ordinance No. 4454, entitled: "An Ordinance Amending Article IX, (Zoning) Chapter I Of The San Jose Municipal Code, By Adding Thereto A New Section, To Be Designated 9102.24z15", passed to print August 9, 1954, is given final reading and upon motion of Councilman Solari, seconded by Councilman Watson, adopted:

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

Ordinance No. 4456
Street Numbers
Maypark Nos. 2 & 3

Ordinance No. 4456, entitled: "An Ordinance Amending The San Jose Municipal Code By Adding A New Section Thereto To Be Numbered 8728 Approving And Adopting An Official Street Number Map (Supplementary) For Maypark No. 2 & 3, Annexed To The City Of San Jose On March 26, 1954 And July 15, 1954, Respectively", passed to print August 9, 1954, is given final reading and upon motion of Councilman Santora, seconded by Councilman Watson, adopted:

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

Ordinance No. 4457
Exempting Part-Time
Employees From
Salary Increase

Ordinance No. 4457, entitled: "An Ordinance Of The City Of San Jose Amending Section 8 Of 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' To Except From The Provisions Of Said Section 8 All Persons Holding Offices Or Positions In The Classes Set Forth And Designated In Sections 5.159, 5.161, 5.170, 5.171, 5.172, 5.173, 5.174, 5.175, 5.176, 5.177 Of Said Ordinance No. 4370", passed to print August 9, 1954, is given final reading and upon motion of Councilman Watson, seconded by Councilman Solari, adopted:

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

Proposed Rezoning
NE Side N. 4th St.
Denied

As deferred from August 9, 1954, the Council now considers the proposed rezoning, pursuant to 9112.1(c) of the San Jose Municipal Code, from R-2 and R-3 Residence Districts to M-1 Manufacturing District, all or a part of the real property along the NE side of N. 4th Street, from the westerly prolongation of the terminus of N. 5th Street to a point 1179.75' northerly. Ferdinand P. Palla, Assistant City Attorney, advises that a delay in the decision for said rezoning will be detrimental to property owners within said area. Councilman Solari proposes and moves adoption of resolution that said proposed rezoning be denied, seconded by Councilman Moore, and adopted:

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

Purchase Property
SW 3rd & Martha Sts.
Fire House

Ferdinand P. Palla, Assistant City Attorney, requests and Councilman Santora proposes and moves adoption of resolution that the City Attorney be granted one week to prepare and submit proposed ordinance for the purchase of property at the SW corner of 3rd and Martha Streets for \$28,000 to be used for site for Fire House, seconded by Councilman Watson, and adopted:

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

Annexation
Burbank No. 5
Uninhabited

As deferred from August 9, 1954, Council now considers the petition of Safeway Stores, Inc., and others, requesting that pursuant to the provisions of "Annexation of Uninhabited Territory Act of 1939", certain uninhabited territory described therein and designated Burbank No. 5, be annexed to the City of San Jose. Ferdinand P. Palla, Assistant City Attorney, advises that the signature of the Hoosier Farm Bureau Life Insurance Company, appearing on said petition has not been properly checked, and recommends, and Councilman Santora proposes and moves adoption of resolution that the City Clerk be directed to ascertain information from said Company on authority for said signature, seconded by Councilman Solari, and adopted:

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

Clark Way
One-Way Street
Proposed

Councilman Solari, Chairman of the Committee on Streets and Sewers, reports that as referred on July 12, 1954, said committee has investigated the proposal to complete the opening of Clark Way between Newport Avenue and Cottle Avenue to standard roadway width and said completion seems to be impossible at this time and that said Committee recommends, and Councilman Solari proposes and moves adoption of resolution that the Traffic Analyst be directed to consider and report on the feasibility of making Clark Way a one-way street between Newport Avenue and Cottle Avenue, seconded by Councilman Moore, and adopted:

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

Crusade for Cover
Baseball Stadium

Mayor Starbird presents and files communication from Louis Duino, Sports Editor, San Jose Mercury and San Jose News, transmitting a check for \$1,041.40 collected during campaign conducted for "Crusade For Cover", at the Municipal Baseball Stadium. Resolution No. 10552 acknowledging receipt of said money and authorizing the expenditure for conducting preliminary surveys with respect to the feasibility of constructing a roof over the grandstand at the Municipal Baseball Stadium, is presented by the Assistant City Attorney and upon motion of Councilman Moore, seconded by Councilman Santora, adopted:

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

Resolution No. 10553
Extension of Time
Bascom Ave. MCS

C. J. Leininger, Assistant City Engineer, presents and files request of A. J. Raisch Paving Company for an extension of 30 days (Saturdays, Sundays and holidays excluded) in which to complete contract for the improvement of a portion of Bascom Avenue Major City Street Project No. 149. Resolution No. 10553 extending time in which to complete contract for said improvement of Bascom Avenue, is read and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

Municipal Auditorium
Heating System
Award

C. J. Leininger, Assistant City Engineer, reports that the bid of Wm. F. Serpa, opened August 16, 1954, for the improvement of the Municipal Auditorium heating system by repairs to and replacement of existing heating equipment, is the lowest responsible bid for said improvement, and recommends that said bid be accepted. Councilman Watson proposes and moves adoption of resolution that said bid of Wm. F. Serpa for said improvement be accepted and contract be awarded therefor, seconded by Councilman Santora, and adopted:

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

Proposed Purchase
San Carlos Widening
(Bihn Property)

M. H. Antonacci, Director of Planning, advises of offer to purchase property needed for San Carlos Street widening, from Adelbert W. and Marian P. Bihn located at 452 W. San Carlos Street for the sum of \$1,973. Councilman Solari proposes and moves adoption of resolution that the City Attorney be directed to prepare and submit necessary ordinance for the purchase of said property, seconded by Councilman Moore, and adopted:

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

Resolution No. 10554
Withdrawing
Cambrian No. 1
From Fire Dist.

Resolution No. 10554 withdrawing certain annexed territory designated as Cambrian No. 1 from the Central Fire Protection District of the County of Santa Clara, is presented by the Assistant City Attorney, and upon motion of Councilman Solari, seconded by Councilman Santora, adopted:

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

Resolution No. 10555
Purchase Price
(Medina Property)

Resolution No. 10555 appropriating \$67.20 from the 1950 Sewage Treatment Bond Fund for the purchase of certain real property for sewage treatment and other municipal purposes as authorized by Ordinance No. 4431, adopted July 19, 1954, is presented by the Assistant City Attorney and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

Ordinance No. 4461
Burbank No. 1
Street Numbers

Ordinance No. 4461, entitled: "An Ordinance Amending The San Jose Municipal Code By Adding A New Section To Be Numbered 8729 Approving And Adopting A Supplementary Official Street Number Map For Burbank No. 1 Annexed To The City Of San Jose On February 27, 1947", is presented by the Assistant City Attorney, and upon motion of Councilman Watson, seconded by Councilman Santora, passed to print:

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

Resolution No. 10556
Contract With
Brown & Caldwell
(Treatment Plant)

Resolution No. 10556 setting forth the terms and provisions of contract with Brown & Caldwell, Civil and Chemical Engineers, for revision of the San Jose Sewage Treatment Plant plans and specifications and authorizing the Mayor and City Manager to execute said contract, is presented by the Assistant City Attorney and upon motion of Councilman Watson, seconded by Councilman Solari, adopted:

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

Resolution No. 10557
Contract With
George Mattis
(Malone Rd.)

Resolution No. 10557 setting forth the provisions of contract with George Mattis in connection with acquisition of property necessary for the widening of Malone Road, and authorizing the Mayor and City Manager to execute said contract, is presented by the Assistant City Attorney, and upon motion of Councilman Solari, seconded by Councilman Moore, adopted:

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

Ordinance No. 4462
Property Exchange
(Moellering)

Ordinance No. 4462, entitled: "An Ordinance Authorizing The Mayor And City Manager To Execute And Enter Into An Agreement Of Exchange Of Certain Properties Owned By The City Of San Jose And Not Needed For Municipal Purposes, With Certain Properties Owned By Alfred Moellering, Cecil H. Moellering And William De R. Moellering; And Setting Forth The

Terms Of Said Agreement", is presented by the Assistant City Attorney, and upon motion of Councilman Watson, seconded by Councilman Moore, passed to print:

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

Form Of Ordinances Appropriations, Etc.

Memorandum from Robert E. Cassin, City Attorney, dated August 12, 1954, relative to the form of appropriation ordinances, including the annual appropriation ordinance, is presented by the Assistant City Attorney and, by unanimous consent, filed.

Resolution No. 10558 Charter Amendments Election Nov. 2, 1954

Resolution No. 10558 directing that certain Charter Amendment to Section 109A, proposed by the Council, in accordance with the provisions of Section 8, Article XI of the Constitution of the State of California, be submitted to the electors of the City at a Special Municipal Election to be held November 2, 1954, is presented by the Assistant City Attorney, and upon motion of Councilman Solari, seconded by Councilman Moore, adopted:

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

Proposed Ordinance Use Tax

Proposed Ordinance providing for the collection of a Use Tax in San Jose, is presented by the Assistant City Attorney. Councilman Santora proposes and moves adoption of resolution that said proposed ordinance be referred to the Committee of the Whole for consideration and report, seconded by Councilman Moore, and adopted:

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

Ordinance No. 4463 Creating New Position Eng. Bldg. Dept.

Ordinance No. 4463, entitled: "An Ordinance Of The City Of San Jose Amending Section 2100.23 Of Chapter 1--Civil Service Rules And Regulations Of Article II--Administrative, Of The San Jose Municipal Code; Providing For A New Class And Class Number Entitled 'Engineer-- Building Department (217)'; Providing That The Effective Date Hereof Be September 1, 1954; And Repealing All Other Ordinances And Parts Of Ordinances Not Adopted By Vote Of The People In Conflict Herewith", is

presented by the Assistant City Attorney, and upon motion of Councilman Watson, seconded by Councilman Solari, passed to print:

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

Ordinance No. 4464
Salary For
Eng. Bldg. Dept.

Ordinance No. 4464, entitled: "An Ordinance Of The City Of San Jose Amending 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 A Salary Range For The Class Of Engineer--Building Department (217); Providing That The Effective Date Hereof Be September 1, 1954; And Repealing All Other Ordinances And Parts Of Ordinances Not Adopted By Vote Of The People In Conflict Herewith", is presented by the Assistant City Attorney, and upon motion of Councilman Watson, seconded by Councilman Solari, passed to print:

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

Ordinance No. 4465
Senior & Asst.
City Attorney

Ordinance No. 4465, entitled: "An Ordinance Of The City Of San Jose Amending Sections 5.45, 5.46 And 5.51 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 Increased Salary Ranges For Certain Specified Employment Classes; Providing That The Effective Date Hereof Be September 1, 1954; And Repealing All Other Ordinances And Parts Of Ordinances Not Adopted By Vote Of The People In Conflict Herewith", is presented by the Assistant City Attorney, and upon motion of Councilman Watson, seconded by Councilman Solari, passed to print:

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

Ordinance No. 4466
Deficiency
Appropriations

Ordinance No. 4466, entitled: "An Ordinance Transferring \$25,592.25 Previously Appropriated In The General Fund To The General Fund Surplus Cash Reserve, Appropriating The Sum Of \$48,370 From The Unappropriated Surplus Of The General Fund To Various Departments And Purposes, And Establishing The Amounts To Be Paid From The General Fund To Two Retirement Funds On Account Of Prior Service", is presented by the Assistant City Manager, and upon motion of Councilman Solari, seconded by Councilman Santora, passed to print:

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

Monthly Report

Report of the Fire Department for June, 1954 is presented and filed.

Invite Bids
Traffic Line Paint

C. J. Leininger, Assistant City Engineer, recommends, and Councilman Watson proposes and moves adoption of resolution that the City Manager be directed to invite bids for 3000 gallons of Traffic Line Paint for the Department of Public Works, seconded by Councilman Solari, and adopted:

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

Contract Bonds

Councilman Watson proposes and moves adoption of resolution that in contract with A. J. Raisch Paving Company for the resurfacing of Delmas Avenue between Santa Clara Street and William Street and 10th Street between Santa Clara Street and Reed Street, Major City Street Project 151, the bond for faithful performance be fixed at \$3,300 and the bond of A. J. Raisch Paving Company, as principal, and Pacific Indemnity Company, as surety, to the City of San Jose, in the amount of \$6,600 securing claims of materialmen and laborers, be approved, seconded by Councilman Santora, and adopted:

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

Resolution No. 10559
Adopting Plans
River Glen School
Electroliers

Resolution No. 10559, adopting plans and specifications for the improvement of River Glen Elementary, School property, San Jose Unified School District, by installation of electroliers, is read and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

Alcoholic Beverage
Control Act

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

Administrative
Manual

Councilman Watson proposes and moves adoption of resolution that the Assistant City Manager be directed to furnish the Council with copies of the Administrative Manual together with costs therefor and revenue received from the sale thereof, seconded by Councilman Moore, and adopted:

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

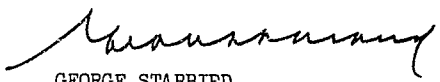
Adjourn

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

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

Adjourn

Council now adjourns at 9:55 o'clock P.M.


GEORGE STARBIRD
MAYOR

ATTEST:


DOROTHY COVILL
CITY CLERK

Monday

San Jose, California

August 23, 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 - Hathaway, Moore, Solari, Watson and Starbird.
Absent: Councilmen - Foley and Santora.

Invocation

Invocation is given by Reverend Merle L. Roark.

Minutes

Councilman Watson proposes and moves adoption of resolution that consideration of the Minutes of sessions of January 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, 12, 19, 26, August 2, 6, 9, and 16, 1954, be deferred, seconded by Councilman Moore, and adopted:

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

Bids

Improve

Eastwood & Perry Cts.

Clerk reports receipt of two sealed proposals or bids for improvement of Eastwood Court from a point 154.38' S. of the S. line of Perry Court and its northerly termination, also Perry Court between the W. line of Eastwood Court and the center line of 33rd Street. Councilman Hathaway proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Watson and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Estimated Quantity	Items	Bidders	
		Leo F. Piazza Paving Co. Price	A. J. Raisch Paving Company Price
		\$ Cts.	\$ Cts.
41,053 sq.ft. asphaltic concrete pavement, per sq.ft.		0.22	0.22
2,716 lin.ft. portland cement concrete curb and gutter (combined), per lin.ft.		1.48	1.60
10,069 sq.ft. portland cement concrete sidewalk, per sq.ft.		0.33	0.31
220 lin.ft. 8" cement concrete pipe storm sewer, per lin.ft.		1.89	2.00

Estimated Quantity	Items	Leo F. Piazza Paving Co. Price		A. J. Raisch Paving Company Price	
		\$	Cts.	\$	Cts.
2 each	storm water inlets, each	134.00		120.00	
4 each	standard brick manholes, each	168.00		190.00	
1 each	flushing inlet	53.00		45.00	
975 lin.ft.	4" V.C.P. house sewer laterals, per lin.ft.	1.30		140.00	
1,252 lin.ft.	6" V.C.P. sanitary sewer mains, per lin.ft.	1.54		1.60	
754 sq.ft.	asphaltic concrete pavement resurfacing, per sq.ft.	0.12		0.15	
ESTIMATED TOTAL		\$21,068.97		\$21,464.95	

Guarantee: Leo F. Piazza Paving Co. - bid bond of Hartford Accident and 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.

Bids
Improve
Eastwood & Perry Cts. 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 Hathaway and adopted:

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

Bid
Improve
Minnesota Ave.
Cherry Valley Homesites Clerk reports receipt of one sealed proposal or bid for improvement of portions of Minnesota Avenue all in and adjacent to Tract No. 1316, Cherry Valley Homesites. Councilman Hathaway proposes and moves adoption of resolution that said proposal or bid be opened, seconded by Councilman Solari and adopted:

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

Bid Clerk now opens said sealed proposal or bid.

Estimated Quantity	Item	Bidder A. J. Raisch Paving Company Price	
		\$	Cts.
23,851 sq.ft.	asphaltic concrete pavement per sq.ft.		0.155
Estimated Total		\$3,696.91	

Guarantee: A. J. Raisch Paving Company - bid bond of Pacific Indemnity Company in amount of 10% of bid.

Bid
Improve
Minnesota Ave.
Cherry Valley Homesites

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

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

Bids
90 Fire Hydrants
24 Reducers

Clerk reports receipt of two sealed proposals or bids for furnishing 75 - 42" fire hydrants, 10 - 36" fire hydrants, 5 - 30" fire hydrants, and 24 fire hydrant reducers. Councilman Watson proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Solari and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Items	Bidders	
	Crane Co.	Pacific States Cast Iron Pipe Company
	Price	Price
	\$ Cts.	\$ Cts.
75 - 42" fire hydrants, each	117.52	113.98
10 - 36" fire hydrants, each	115.27	111.56
5 - 30" fire hydrants, each	113.05	109.14
24 fire hydrant reducers, each	9.55	8.69
GRAND TOTAL	\$10,761.15	\$10,418.36

Guarantee: Crane Co. - certified #046188 check #11422 (11-8-1210) in amount of \$1,080.00; Pacific States Cast Iron Pipe Company - certified #13585 check #797 (97-19-1243) in amount of \$1,100.00.

Bids
90 Fire Hydrants
24 Reducers

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

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

Drake St.
Hearing

This being the time and place fixed by Resolution No. 10518 adopted August 2, 1954, when and where any person may appear and show cause, if any they have, why portions of Drake Street between the S. line of Home Street and the N. line of Fuller Avenue, should not be improved

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

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

Resolution No. 10560
Drake Street
Convenience &
Necessity

Resolution No. 10560 finding and determining that the public convenience and necessity require the improvement of portions of Drake Street between the S. line of Home Street and the N. line of Fuller Avenue; that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply; and determining that such work and improvement shall proceed under the provisions of Chapter 6A of Article II of the San Jose Municipal Code, is read and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Resolution No. 10561
Drake St.
Intention To Improve

Resolution No. 10561 of intention that the public interest, convenience and necessity require and that the Council intends to order the improvement of portions of Drake Street between the S. line of Home Street and the N. line of Fuller Avenue; describing said work and improvement, finding and declaring that said improvements are of more than local or ordinary public benefit and that the cost and expenses 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 expenses; declaring applicable laws and procedures; declaring that said improvement 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 Watson, seconded by Councilman Hathaway, adopted:

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

5th-6th Sts. &
Younger Ave.
Hearing

This being the time and place fixed by Resolution No. 10521, adopted August 2, 1954, when and where any person may appear and show cause, if any they have, why portions of 5th Street and 6th Street between the N. line of Rosa Street and their northerly termination thereon, also portions of Younger Avenue between the center line of 4th Street and a point 137.87' east of the E. line of 6th Street, should not be improved without further compliance with the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", Clerk advises that no written protests to said improvement have been filed. No person is present desirous of being heard. Councilman Watson proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Moore, and adopted:

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

Resolution No. 10562
5th-6th Sts. &
Younger Ave.
Convenience &
Necessity

Resolution No. 10562 finding and determining that the public convenience and necessity require the improvement of portions of 5th Street and 6th Street between the N. line of Rosa Street and their northerly termination thereon, also portions of Younger Avenue between the center line of 4th Street and a point 137.87' east of the E. line of 6th Street; that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply; and determining that such work and improvement shall proceed under the provisions of Chapter 6A of Article II of the San Jose Municipal Code, is read and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Resolution No. 10563
5th-6th Sts. &
Younger Ave.
Intention To Improve

Resolution No. 10563 of intention that the public interest, convenience and necessity require and that the Council intends to order the improvement of portions of 5th Street and 6th Street between the N. line of Rosa Street and their northerly termination thereon, also

portions of Younger Avenue between the center line of 4th Street and a point 137.87' east of the E. line of 6th Street; describing said work and improvement, finding and declaring that said improvements are of more than local or ordinary public benefit and that the cost and expenses 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 expenses; declaring applicable laws and procedures; declaring that said improvement 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 Watson, seconded by Councilman Hathaway, adopted:

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

Lincoln Court
Hearing

This being the time and place fixed by Resolution No. 10522, adopted August 2, 1954, when and where any person may appear and show cause, if any they have, why portions of Lincoln Court between the W. line of Lincoln Avenue and the E. line of Radio Avenue, should not be improved without further compliance with the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", 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 Watson, and adopted:

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

Resolution No. 10564
Lincoln Court
Convenience &
Necessity

Resolution No. 10564 finding and determining that the public convenience and necessity require the improvement of portions of Lincoln Court between the W. line of Lincoln Avenue and the E. line of Radio Avenue; that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply; and determining that such work and improvement shall proceed under the provisions of Chapter 6A of Article

II of the San Jose Municipal Code, is read and upon motion of Councilman Hathaway, seconded by Councilman Moore, adopted:

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

Resolution No. 10565
Lincoln Court
Intention To Improve

Resolution No. 10565 of intention that the public interest, convenience and necessity require and that the Council intends to order the improvement of portions of Lincoln Court between the W. line of Lincoln Avenue and the E. line of Radió Avenue; describing said work and improvement, finding and declaring that said improvements are of more than local or ordinary public benefit and that the cost and expenses 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 expenses; declaring applicable laws and procedures; declaring that said improvement 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 Hathaway, seconded by Councilman Moore, adopted:

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

Off-Street Parking
Requirements
C Commercial Dist.

This being the time and place, as continued from August 9, 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 the C Commercial District (Professional-Office), Robert Free, Jerry Free and others participate in general discussion. A. P. Hamann, City Manager, presents and files report of the Traffic Analyst on study made relative to parking meter demand in the area bounded by Santa Clara Street, San Fernando Street, 12th Street and 17th Street. Councilman Hathaway proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Solari, and adopted:

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

**Amend Off-Street Parking
Requirements**

Councilman Hathaway proposes and moves adoption of resolution that 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 the C Commercial District (Professional-Office) be denied, and for lack of a second, said motion fails.

**Off-Street Parking
Requirements
C Commercial Dist.**

Councilman Solari proposes and moves adoption of resolution that consideration of 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 the C Commercial District (Professional-Office), be deferred to August 30, 1954, to permit a meeting of the City Planning Commission and the Council, seconded by Councilman Moore, and adopted:

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

**Proposed Rezoning
12th St. Et Al**

This being the time and place as continued from August 9, 1954, for public hearing pursuant to Section 9112.1(b) of the San Jose Municipal Code, for the purpose of considering and discussing the proposed rezoning of 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, from R-2 Residence District to C Commercial District (Professional-Office), Jerry Free and others participate in general discussion. Councilman Hathaway proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Solari, and adopted:

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

**Proposed Rezoning
12th St. Et Al**

Councilman Hathaway proposes and moves adoption of resolution that the proposed rezoning of 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, from R-2 Residence District to C Commercial District (Professional-Office) be approved,

and for lack of a second, said motion fails.

Proposed Rezoning
12th St. Et Al

Councilman Solari proposes and moves adoption of resolution that consideration of the proposed rezoning of certain real property located on the W. side of 12th Street and the E. and W. sides of 13th, 14th, 15th, 16th and 17th Streets between Santa Clara Street and San Fernando Street from R-2 Residence to C Commercial District (Professional-Office), be deferred to August 30, 1954, seconded by Councilman Moore, and adopted:

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

Public Hearing
Budget F.Y. 1954-55

This being the time and place, as continued from August 16, 1954, for public hearing on the budget for the fiscal year beginning September 1, 1954 and ending August 31, 1955, John E. Thorne, Attorney at Law, appearing on behalf of City Employee Locals, renews his request filed August 16, 1954, for various employee benefits. Councilman Solari proposes and moves adoption of resolution that said request of John E. Thorne be referred to the Committee on Finance for consideration and report, seconded by Councilman Moore, and adopted:

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

Public Hearing
Budget F.Y. 1954-55

Councilman Hathaway proposes and moves adoption of resolution that public hearing on the budget for the fiscal year beginning September 1, 1954 and ending August 31, 1955, be closed, seconded by Councilman Solari, and adopted:

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

Assessment Roll Footings
1954-55

City Clerk presents copy of certificate of the County Auditor showing the 1954-55 roll footings and preliminary estimates of valuations of property assessed by the Board of Equalization, and by unanimous consent, said copy of certificate of the County Auditor is filed.

Taxes Necessary
Bonded Indebtedness

Communication from Harry A. Young, City Auditor, showing the tax necessary to be levied to pay the principal and interest on the bonded indebtedness of the City falling due during the fiscal year September 1,

1954 to August 31, 1955, is presented and by unanimous consent, filed.

Resolution No. 10566
Adopting Budget
F. Y. 1954-55

Resolution finally adopting Revised Budget for the fiscal year beginning September 1, 1954 and ending August 31, 1955, as filed in the office of the City Clerk on August 16, 1954, is presented and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Ordinance No. 4467
Fixing Tax Levy

Ordinance No. 4467, entitled: "An Ordinance Fixing The Rates Of Taxes To Be Levied In The City Of San Jose And Districts Thereof For The Fiscal Period From September 1, 1954 To And Including August 31, 1955", is presented and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted by authority of Section 47 of the Charter:

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

Ordinance No. 4468
Annual Appropriations

Ordinance No. 4468, entitled: "An Ordinance Of The City Of San Jose Allocating And Appropriating Certain Sums Of Money For The Emergency Fund, For Certain Operating Expenses, And For Debt Retirement, For The Fiscal Year Beginning September 1, 1954, And Ending August 31, 1955; And Authorizing The Expenditure Of Such Sums For Said Purposes", is presented and upon motion of Councilman Moore, seconded by Councilman Hathaway, passed to print:

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

Resolution No. 10559.1
Orchard 2, 5 & 8
Sanitary Sewers

Communication from Kevry Construction, Inc. requesting permission to subcontract to Watson Bros., the installation of sanitary sewer house laterals portion of its contract for improvement of portions of San Jose Orchard Annexation Districts 2, 5 and 8 by installation of Sanitary Sewer Collecting System and Storm Sewers, is read. Resolution No. 10559.1 consenting to said subcontract between Kevry Construction Inc. and Watson Bros. is read and upon motion of Councilman Moore, seconded by Councilman Watson, adopted:

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

Waste Water
Reclamation Report

Communication from the State Water Pollution Control Board transmitting "Studies of Waste Water Reclamation and Utilization", is presented and filed.

Proclamation

Request of the American Jewish Tercentenary Committee, that September 12 through 18, 1954 be proclaimed as "American Jewish Tercentenary Week" in San Jose, is read. Councilman Watson proposes and moves adoption of resolution that said request be granted and the Mayor be authorized to so proclaim, seconded by Councilman Moore, and adopted:

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

Proclamation

Request of the Merchants Association of San Jose that September 19 through 25, 1954 be proclaimed "Fall Fashion Week", in San Jose, is read. Councilman Hathaway proposes and moves adoption of resolution that said request be granted and the Mayor be authorized to so proclaim, seconded by Councilman Watson, and adopted:

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

Greater San Jose Days
Flags

Request of the Merchants Association of San Jose that Greater San Jose Days flags be installed over downtown streets by November 3, 1954, is read. Councilman Watson proposes and moves adoption of resolution that said request be granted, seconded by Councilman Hathaway, and adopted:

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

False Arrest Insurance
Proposed

John E. Thorne, Attorney at Law, requests consideration of furnishing false arrest insurance for the members of the Police Department. General discussion is had with the City Manager. Councilman Hathaway proposes and moves adoption of resolution that said request be referred to the Committee on Finance for consideration and report, seconded by Councilman Solari and adopted:

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

Complaint
Sidewalk Repair
Costs

G. Conrad Baker presents and files petition of John Castello and others, requesting investigation of the condition of the sidewalks on Park Avenue between Hedding and Davis Streets, also who should be responsible for the repair of same. Councilman Watson proposes and moves adoption of resolution that said request be referred to the City Engineer and the City Attorney for consideration and report on August 30, 1954, seconded by Councilman Moore, and adopted:

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

Proposed Extension
Route No. 7
S.J. City Lines, Inc.

Communication from Mrs. H. W. Adams, transmitting petition bearing 285 signatures requesting extension of bus service adjacent to Winchester Road and Crestview (Bascom Gardens #6 and #7), is presented by Ralph Dole. Councilman Hathaway proposes and moves adoption of resolution that said request be referred to the City Manager, and to the City Planning Commission for consideration and report pursuant to Section 94 of the Charter, seconded by Councilman Moore, and adopted:

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

Proposed Golf Course
Kelley Property

Communication from Frank B. Panella, Edward C. Ferrara, Joseph W. Santana and James A. Santana, offering to build and maintain a golf course on city-owned property known as the Kelley Property, in exchange for free rent for a certain number of years in order to recover the cost thereof, is presented by the City Manager. Councilman Hathaway proposes and moves adoption of resolution that said offer be referred to the Committee of the Whole for consideration, seconded by Councilman Watson, and adopted:

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

Ordinance No. 4458
Annexing
Maypark No. 4

Ordinance No. 4458, entitled: "An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain Uninhabited Territory Designated As 'Maypark No. 4' And Herein Described And Herein Annexing Said Territory To Said City Of San Jose", passed to print August 16, 1954 is given final reading and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

Ordinance No. 4459
Selling City-Owned
Buildings

Ordinance No. 4459, entitled: "An Ordinance Confirming The Sale Of Certain City Owned Residential Buildings, Located At 212 Almaden, 319 Morrison, 365 Morrison, 994 Cinnabar, 998 Cinnabar, 990 Cinnabar, San Jose, California, Not Required For Municipal Purposes And Setting Forth The Terms And Conditions Of Sale", passed to print August 16, 1954, is given final reading and upon motion of Councilman Hathaway, seconded by Councilman Watson, adopted:

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

Ordinance No. 4460
Obedience To Orders
Repealing Code
Provisions

Ordinance No. 4460, entitled: "An Ordinance Of The City Of San Jose Repealing Section 3303.5 Of The San Jose Municipal Code Requiring Compliance With Lawful Orders Or Directions Of Police Or Fire Department Officers In The Direction Of Traffic", passed to print August 16, 1954, is given final reading and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

Ordinance No. 4461
Burbank No. 1
Street Numbers

Ordinance No. 4461, entitled: "An Ordinance Amending The San Jose Municipal Code By Adding A New Section To Be Numbered 8729 Approving And Adopting A Supplementary Official Street Number Map For Burbank No. 1 Annexed To The City Of San Jose On February 27, 1947", passed to print August 16, 1954, is given final reading and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

Councilman Hathaway, adopted:

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

Ordinance No. 4465
Senior & Asst.
City Attorney

Ordinance No. 4465, entitled: "An Ordinance Of The City Of San Jose Amending Sections 5.45, 5.46 And 5.51 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 Increased Salary Ranges For Certain Specified Employment Classes; Providing That The Effective Date Hereof Be September 1, 1954; And Repealing All Other Ordinances And Parts Of Ordinances Not Adopted By Vote Of The People In Conflict Herewith", passed to print August 16, 1954, is given final reading and upon motion of Councilman Hathaway, seconded by Councilman Watson, adopted:

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

Ordinance No. 4466
Deficiency
Appropriations

Ordinance No. 4466, entitled: "An Ordinance Transferring \$25,592.25 Previously Appropriated In The General Fund To The General Fund Surplus Cash Reserve, Appropriating The Sum Of \$48,370 From The Unappropriated Surplus Of The General Fund To Various Departments And Purposes And Establishing The Amounts To Be Paid From The General Fund To Two Retirement Funds On Account Of Prior Service", passed to print August 16, 1954, is given final reading and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Annexation
Burbank No. 5
Uninhabited

As deferred from August 16, 1954, Council now considers the petition of Safeway Stores, Inc., and others, requesting that pursuant to the provisions of "Annexation of Uninhabited Territory Act of 1939", certain uninhabited territory described therein and designated Burbank

No. 5, be annexed to the City of San Jose, the Assistant City Attorney reports that no reply has been received from the Hoosier Farm Bureau Life Insurance Company relative to its signature on said petition, and recommends, and Councilman Watson proposes and moves adoption of resolution that consideration of said petition be deferred to September 7, 1954, seconded by Councilman Moore, and adopted:

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

Ordinance No. 4469
Purchase Property
SW 3rd & Martha Sts.

As deferred from August 16, 1954, the Assistant City Attorney presents Ordinance No. 4469, entitled: "An Ordinance Of The City Of San Jose Authorizing Execution Of Contract For Purchase Of Certain Real Property At Third And Martha Streets For Fire House Purposes; Appropriating \$28,500.00 From The 1952 Fire Protection Bond Fund For Payment Of The Purchase Price Thereof; And Authorizing Performance Of Said Contract And Expenditure Of Said Money For Said Purpose", and upon motion of Councilman Watson, seconded by Councilman Moore, passed to print:

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

Resolution No. 10567
Cambrian Park No. 2
Annexation

As deferred from August 16, 1954, the Council now considers petition of Frank Bartaldo and others, requesting that pursuant to the provisions of the "Annexation of Uninhabited Territory Act of 1939 of the State of California", certain territory designated Cambrian No. 2, described therein, be annexed to the City of San Jose. Ferdinand P. Palla, Assistant City Attorney, presents and files affidavit of Joseph R. Ticknor, Sr. that he circulated said petition between August 11, 1954 and August 16, 1954 and that he personally saw each petitioner sign said petition on the date indicated thereon; copy of a letter to Joseph R. Ticknor, Sr. from the Boundary Commission of the County of Santa Clara stating that said commission approved the boundaries of Cambrian No. 2 on July 12, 1954; affidavit of Pearce Davies, Associate Planner, that he examined the records of the Registrar of Voters of Santa Clara County and determined that less than 12 registered voters resided within said territory on August 16, 1954; affidavit of Pearce Davies,

Associate Planner that the attached list truly states the assessment numbers, owners, descriptions and values of all the parcels of real property within said territory as shown on the latest equalized assessment roll of the County of Santa Clara; and affidavit of Carl J. Leininger, Assistant City Engineer, that said territory is contiguous to the City of San Jose and that said territory contains 114.839 acres. Resolution No. 10567, giving notice of proposed annexation of certain uninhabited territory designated Cambrian No. 2 to the City of San Jose and fixing 8:00 o'clock P.M., October 4, 1954, Council Chambers, City Hall, as the time and place for hearing protests thereto, is read and upon motion of Councilman Hathaway, seconded by Councilman Moore, adopted:

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

Hawthorne Way
Complaint

As deferred from August 16, 1954, C. J. Leininger, Assistant City Engineer reports on paving of portion of Hawthorne Way between 1st Street and San Pedro Street, and Councilman Hathaway proposes and moves adoption of resolution that said report be accepted and the City Clerk be directed to so advise the complainant, Frank L. Hughes seconded by Councilman Solari, and adopted:

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

Grade Separation
1st & Bassett Sts.
Proposed

Recommendation of the City Planning Commission that the Council confer with the Southern Pacific Company in order to proceed with study of design and negotiation for the construction of a grade separation at N. 1st and Bassett Streets, is read. By unanimous consent, said recommendation is filed.

City Health Center
Employ Architect

Recommendation of the City Planning Commission, that the Council immediately appoint an architect in order to expedite the construction of a City Health Center building at 1st and Rosa Streets, is read. General discussion is had with the City Manager and Kurt Gross, A. I. A. Councilman Watson proposes and moves adoption of resolution that the City Manager be directed to negotiate for architectural services for construction of said City Health Center building, seconded by

Councilman Moore, and adopted:

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

Rear & Side Yards
1565 The Alameda
Adjustment

Resolution of the City Planning Commission, by authority of Section 9107.1 of the San Jose Municipal Code, granting rear yard adjustment to 12' and side yard adjustment to 0' at 1565 The Alameda as shown on plot plan on file in the Department of Building, is presented. Councilman Watson proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Hathaway and adopted:

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

Proposed Rezoning
SE 1st & Rosemary Sts.

Report and recommendation of the City Planning Commission, pursuant to Section 9112.1(c) of the San Jose Municipal Code that the real property at the SE. corner of N. 1st Street and Rosemary Street, be not rezoned from R-2 Residence District to C Commercial District (Professional-Office), is presented. Councilman Hathaway proposes and moves adoption of resolution that 8:00 o'clock P.M., September 20, 1954 Council Chambers, City Hall, be fixed as time and place for the purpose of considering and discussing said proposed rezoning, seconded by Councilman Watson, and adopted:

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

Resolution No. 10568
Minnesota Ave.
Award

C. J. Leininger, Assistant City Engineer, reports that bid of A. J. Raisch Paving Company, at the prices named in its bid opened August 23, 1954, is the lowest responsible bid for the improvement of portions of Minnesota Avenue all in and adjacent to Tract No. 1316, Cherry Valley Homesites, and recommends that said bid be accepted. Resolution No. 10568 awarding contract for said improvement to A. J. Raisch Paving Company, is read and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Resolution No. 10569
Eastwood & Perry Cts.
Award

C. J. Leininger, Assistant City Engineer, reports that bid of Leo F. Piazza Paving Co., at the prices named in its bid opened August 23, 1954, is the lowest responsible bid for the improvement of portions of Eastwood Court between a point 154.38' S. of the S. line of Perry Court measured along the westerly line thereon and its northerly termination, also Perry Court between the W. line of Eastwood Court and the center line of 33rd Street, and recommends that said bid be accepted. Resolution No. 10569 awarding contract for said improvement to Leo F. Piazza Paving Co., is read and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Payments Due

Certificates of H. J. Flannery, City Engineer, approved by the City Manager, that there is due and payable to A. J. Raisch Paving Company on contract for the improvement of Market-Bassett Streets, et al, Major City Streets Projects 153, 154, 155, 158, 105, 139 and 152, a partial payment of \$29,819.60; to A. J. Raisch Paving Company on contract for the improvement of a portion of Hillsdale Avenue, all in or adjacent to Hacienda Gardens, Unit No. 4, Tract No. 1097, a partial payment of \$873.27, and to Leo F. Piazza Paving Co. on contract for the improvement of a portion of Hillsdale Avenue, all in or adjacent to El Rancho Del Rey, Unit No. 1, Tract No. 1249, a partial payment of \$874.20, are read. Councilman Hathaway proposes and moves adoption of resolution that said payments be authorized, seconded by Councilman Solari, and adopted:

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

Resolution No. 10570
Assignment Of Contract
Hedding-Rosa Bridge

Resolution No. 10570, consenting to the assignment of monies which may be due H. H. Anderson, contractor, to the Bank of America NT & SA, Hayward Branch #14, under and by virtue of that certain contract for the construction of the Rosa Hedding Street Bridge, entered into by H. H. Anderson and the city of San Jose on July 12, 1954, is presented by the Assistant City Attorney and upon motion of Councilman Watson,

seconded by Councilman Solari, adopted:

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

Ordinance No. 4470
Calling Election
109a Of Charter

Ordinance No. 4470 entitled: "An Ordinance Calling, Giving Notice Of And Providing For, The Holding Of A Special Municipal Election In The City Of San Jose On November 2, 1954, For The Purpose Of Submitting To The Qualified Electors Of Said City A Proposed Charter Amendment, And Consolidating Said Election With The California General Election To Be Held On November 2, 1954", is presented by the Assistant City Attorney and upon motion of Councilman Moore, seconded by Councilman Solari, passed to print:

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

Resolution No. 10571
Requesting
Consolidation Of
Elections

Resolution No. 10571 requesting the Board of Supervisors of Santa Clara County to provide for the consolidation of a Special Municipal Election with the State of California General Election to be held November 2, 1954, is presented by the Assistant City Attorney and upon motion of Councilman Hathaway, seconded by Councilman Moore, adopted:

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

Resolution No. 10572
Condemnation
(Nagel Property)

Resolution No. 10572 finding and determining that the public convenience and necessity require the acquisition, for off-street parking purposes, certain real property from Clement J. Nagel and Lena Nagel, his wife; and authorizing and directing an action to be brought by the City Attorney for the condemnation of said property, is presented by the Assistant City Attorney, and upon motion of Councilman Watson, seconded by Councilman Solari, adopted:

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

Ordinance No. 4471
Salary Increase
Electrician

Ordinance No. 4471, entitled: "An Ordinance Of The City Of San Jose Amending Section 5.73 Of Ordinance No. 4370, Adopted April 26,

1954, 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 Increased Salary Range For The Classification Electrician; Providing That The Effective Date Hereof Be September 1, 1954; And Repealing All Other Ordinances And Parts Of Ordinances Not Adopted By Vote Of The People In Conflict Herewith", is presented by the Assistant City Attorney and upon motion of Councilman Hathaway, seconded by Councilman Moore, passed to print:

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

Ordinance No. 4472
Contract For
Photographic Work

Ordinance No. 4472, entitled: "An Ordinance Of The City Of San Jose Authorizing Execution Of A Contract Between Said City And John H. Lancaster Providing For The Furnishing Of Photographic Services To City And The Use Of City Photographic Equipment And Facilities By Said Lancaster", is presented by the Assistant City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Watson, passed to print:

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

Ordinance No. 4473
Compromise Claim

Ordinance No. 4473, entitled: "An Ordinance Of The City Of San Jose Authorizing The City Manager And City Attorney To Compromise The Claim Of Vita Rapazzini And Angelo Rapazzini, Her Husband, Against The City Of San Jose; And Appropriating The Sum Of \$1,500.00 From The Judgment And Losses Account Of The General Fund To The City Manager And Authorizing The City Manager To Pay The Said Sum Of \$1,500.00 In Satisfaction Of Said Claim", is presented by the Assistant City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Watson, passed to print:

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

Resolution No. 10573
Orchard No. 12
Initiating
Annexation

Resolution No. 10573 authorizing and directing the submission to the Boundary Commission of the County of Santa Clara, of the Council's proposal to annex to the City of San Jose certain uninhabited territory designated "Orchard No. 12", is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Authorizing
Court Reporter
Pala No. 1
Hearing

Ferdinand P. Palla, Assistant City Attorney, recommends and Councilman Hathaway proposes and moves adoption of resolution that the City Attorney be authorized to employ a Court Reporter to record the proceedings to be held on August 30, 1954, for the public hearing on the proposed annexation of inhabited territory designated as Pala No. 1, seconded by Councilman Moore, and adopted:

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

Committee Of The Whole
Meeting

Mayor Starbird announces that there will be a meeting of the Committee of the Whole at 4:00 o'clock P.M., August 30, 1954, Hotel Sainte Claire.

Special Meeting

Councilman Hathaway suggests that a special meeting of the Council be held at 4:00 o'clock P.M., August 26, 1954, to discuss items to be submitted to a vote of the electors at the Special Municipal Election to be held November 2, 1954.

Invite Bids
Electric Lamps

A. P. Hamann, City Manager, requests and Councilman Hathaway proposes and moves adoption of resolution that the City Manager be authorized to invite bids for furnishing Electric Lamps for the Fiscal Year ending August 31, 1955, seconded by Councilman Moore, and adopted:

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

Decorations
Fair

Request of Russell E. Pettit, Manager, Santa Clara County Fair Association for permission to install large cutout Cheery Farmer on palm tree in City Hall Plaza near Market and San Carlos Streets, and install and maintain decorations on the downtown streets from September 1, through

September 20, 1954, is presented by the City Manager. Councilman Hathaway proposes and moves adoption of resolution that said requests be granted, seconded by Councilman Watson, and adopted:

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

Reply To Northside
Improvement Council

A. P. Hamann, City Manager presents and files reply to complaint of the Northside Improvement Council, filed August 9, 1954, for lack of certain improvements in the north San Jose area. Councilman Hathaway proposes and moves adoption of resolution that the City Manager be directed to transmit said reply to the Northside Improvement Council, seconded by Councilman Moore, and adopted:

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

Complaint
225 Locust St.

A. P. Hamann, City Manager, presents and files report of the Chief of Police on complaint filed August 9, 1954 of disturbance in early morning hours caused by motorcycles and automobiles assembling in front of 225 Locust Street and by unanimous consent said report is accepted and filed.

Report On Survey
Employing Retirees

Report of Donald S. Macrae, Personnel Director, of result of poll of the membership of the Federated City Employees Retirement System as to whether they are in favor or not in favor of the adoption of proposed ordinance which would amend Section 2904.32 of the San Jose Municipal Code, is presented and filed by the City Manager. Councilman Watson proposes and moves adoption of resolution that consideration of said report be deferred to August 30, 1954, seconded by Councilman Moore, and adopted:

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

Contract Bonds

Councilman Watson proposes and moves adoption of resolution that in contract with Wm. F. Serpa for improvement of the Municipal Auditorium heating system by repairs to and replacement of existing heating equipment, the bond for faithful performance be fixed at

\$1,608.00, and the bond of Wm. F. Serpa, as principal, and the Connecticut Fire Insurance Company, as surety, to the City of San Jose, in the amount of \$3,216.00, securing claims of materialmen and laborers, be approved, seconded by Councilman Moore, and adopted:

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

Monthly Report

Report of the Health Department for July, 1954, is presented and filed.

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 Hathaway proposes and moves adoption of resolution that the Council adjourn, to meet again at 4:00 o'clock P.M. August 26, 1954, office of the City Planning Commission, seconded by Councilman Watson, and adopted:

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

Adjourn

Council now adjourns at 10:35 o'clock P.M.

ATTEST:

Dorothy Covill
DOROTHY COVILL
CITY CLERK

George Starbird
GEORGE STARBIRD
MAYOR

Thursday

San Jose, California

August 26, 1954

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

Roll Call

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

Absent: Councilmen - Foley.

Minutes

Councilman Santora proposes and moves adoption of resolution that consideration of the Minutes of sessions of January 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, 12, 19, 26, August 2, 6, 9, 16 and 23, 1954, be deferred, seconded by Councilman Watson and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - Foley.

Recess

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

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

Noes: Councilmen - None.

Absent: Councilmen - Foley.

Recess

Council now recesses at 4:15 o'clock P.M.

Reconvene

Council now reconvenes at 4:35 o'clock P.M. and Clerk calls the roll:

Roll Call

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

Absent: Councilmen - Foley.

Recreation Funds
Proposed

A. P. Hamann, City Manager, presents two proposals which have been suggested for submission to the voters at the election to be held November 2, 1954, as follows: I (a) proposal to increase the tax levy by 4¢ per \$100 assessed valuation to provide funds to develop park, playground and recreational facilities within the City; I (b) proposal to increase the tax levy by 2¢ per \$100 assessed valuation to provide funds to develop a golf course within the City, and a camp site at Lake Tahoe, and II proposal for bond issue of \$1,000,000 to be used for development of park, playground, recreational facilities, including a golf course within

the City and a camp site at Lake Tahoe. General discussion is had on said proposals. Mayor Starbird requests an informal poll of the Council on I (a), which results as follows:

In favor of submitting I(a) to the voters:

Councilmen - Hathaway, Moore, Santora, Solari and Watson.

Not in favor of submitting I(a) to the voters:

Councilmen - Starbird.

Mayor Starbird requests an informal poll of the Council on I(b), which results as follows:

In favor of submitting I(b) to the voters:

Councilmen - Solari.

Not in favor of submitting I(b) to the voters:

Councilmen - Hathaway, Moore, Santora, Watson and Starbird.

Mayor Starbird requests an informal poll of the Council on II, which results as follows:

In favor of submitting II to the voters:

Councilmen - Hathaway, Santora, and Solari.

Not in favor of submitting II to the voters:

Councilmen - Moore, Watson and Starbird.

Resolution No. 10574 directing submission to the electors of the City, at a Special Municipal Election to be held November 2, 1954, of a certain proposed ordinance providing funds for the acquisition and for the development of Park, of Playground, of Recreation and of cultural areas and facilities, other than a golf course, within the City by authorizing and approving an increase in the maximum rate of taxation for said City, for a period of ten years starting with said City's fiscal year 1955-1956 to and including City's fiscal year 1965-1966, by the addition thereto of an additional annual tax of not more than four cents per each \$100.00 of assessed valuation of all real and personal property within the City, is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Santora, adopted:

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

Noes: Councilmen - Starbird.

Absent: Councilmen - Foley.

Proposed City Hall
Building

A. P. Hamann, City Manager, advises of offer received for lease-purchase financing plan for construction of a City Hall building at 1st and Rosa Streets, and explains that such a plan will cost more because of payment of interest on contractors investment than if the city builds said building with funds raised by a bond issue. Mayor Starbird requests an informal poll of the Council on submitting a proposed bond issue of approximately \$2,000,000 for financing the construction and furnishing of a City Hall building, which results as follows:

In favor of submitting bond issue to the voters:

Councilmen - Moore and Santora.

Not in favor of submitting bond issue to the voters:

Councilmen - Hathaway, Solari, Watson and Starbird.

Councilman Santora proposes and moves adoption of resolution that a proposed bond issue of approximately \$2,000,000 for financing the construction and furnishing of a City Hall building be submitted to the voters, seconded by Councilman Moore, and not adopted:

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

Opening N. 2nd St.
Through St. James Park
Proposed

A. P. Hamann, City Manager, advises that the Merchants Association of San Jose has requested that the Council open and extend N. 2nd Street through St. James Park. George Peacock appears on behalf of said Merchants Association in support of said request. Upon inquiry of Councilman Moore, M. H. Antonacci, Director of Planning, reports that the City Planning Commission recommends said opening and extending of N. 2nd Street through St. James Park. Councilman Hathaway proposes and moves adoption of resolution that the proposal to open and extend N. 2nd Street through St. James Park be submitted to the voters at election to be held November 2, 1954, seconded by Councilman Solari, and not adopted because of a tie vote:

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

Proposed Resolution
Consolidation Of
Elections

Proposed resolution requesting the Board of Supervisors of Santa Clara County to provide for the consolidation of a Special Municipal

Election with the State of California General Election to be held November 2, 1954, is presented by the City Attorney. Councilman Hathaway proposes and moves adoption of resolution that the form of said proposed resolution be approved, seconded by Councilman Watson and adopted:

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

Proposed Ordinance
Calling Special
Municipal Election

Proposed ordinance entitled: "An Ordinance Of The City Of San Jose Calling, Giving Notice Of And Providing For The Holding Of A Special Election In The City Of San Jose On November 2, 1954 For The Purpose Of Submitting To The Qualified Electors Of Said City A Proposed Charter Amendment Relating To The Opening, Establishment And Maintenance Of Streets Through Parks And/Or Other Public Places And Consolidating Said Election With The California General Election To Be Held On November 2, 1954", is presented by the City Attorney. Councilman Hathaway proposes and moves adoption of resolution that the form of said proposed ordinance be approved, seconded by Councilman Solari, and adopted:

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

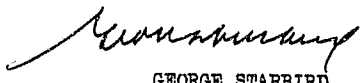
Adjourn

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

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

Adjourn

Council now adjourns at 5:45 o'clock P.M.


GEORGE STARBIRD
MAYOR

ATTEST: 
DOROTHY GOVILL
CITY CLERK

Monday

San Jose, California

August 30, 1954

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

Roll Call

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

Absent: Councilmen - None.

Invocation

Invocation is given by Reverend Merle L. Roark. Mayor Starbird expresses appreciation for invocations given during August, 1954.

Minutes

The Minutes of regular session of January 18, 1954, having been read by each Councilman, Councilman Hathaway proposes and moves adoption of resolution that said Minutes be approved as heretofore read, and that consideration of the Minutes of sessions of January 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, 12, 19, 26, August 2, 6, 9, 16, 23, and 26, 1954, be deferred, seconded by Councilman Watson and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - None.

Proposed Extension
N. 2nd St. Through
St. James Park

Mayor Starbird recommends, and Councilman Hathaway proposes and moves adoption of resolution that the proposal, presented August 26, 1954, to open and extend N. 2nd Street through St. James Park, be referred to the City Planning Commission for consideration and report pursuant to Section 94 of the Charter, seconded by Councilman Moore, and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - None.

Resolution No. 10575
Pala No. 1

Inhabited Annexation

This being the time and place fixed by Resolution No. 10531, adopted August 9, 1954, when and where any person owning real property in the inhabited territory proposed to be annexed to the City of San Jose and designated "Pala No. 1", may appear and show cause why such territory should not be so annexed, Dorothy Covill, City Clerk, presents and files affidavit of Alice G. Wade of publication in the San Jose News on August 16 and 23, 1954 of Resolution No. 10531, and protest of John M. Burnett, Warren L. Holmes and Albert W. Beall, to the inclusion of their property within the City of San Jose and

against holding of any election to determine whether or not said territory should be so annexed to the City. Ferdinand P. Palla, Assistant City Attorney, presents and files, 1) affidavit dated August 30, 1954, of Donald Genasci, Supervising Map Draftsman, Office of the County Assessor, Santa Clara County, regarding the separate parcels of property situate within the boundaries of Pala No. 1, as shown on the last equalized assessment roll; 2) subdivision maps with letter, dated August 30, 1954 from James B. Enoch, Assistant County Engineer, regarding the separate parcels of real property, as shown on said maps, which were created after the first Monday of March 1954; and 3) certified copies of the last equalized assessment roll of the County of Santa Clara, for the fiscal year 1954-55, within the territory designated Pala No. 1. Irving L. Ryder, Consulting Civil Engineer for the City of San Jose, is called by the Assistant City Attorney, sworn and testifies as to a physical check of said territory designated Pala No. 1 and as to the separate parcels of land contained therein. John M. Burnett, Attorney at Law, cross examines Irving L. Ryder. Upon inquiry from Mayor Starbird for protestants desirous of being heard, E. T. Mather, Gordon Anderson, Mr. D'Artenay, John M. Burnett, Attorney at Law, representing himself propria persona and as attorney for Warren Holmes and Al Beall, appear in protest to said proposed annexation. Dorothy Covill, City Clerk is called by John M. Burnett, Attorney at Law, who waives her being sworn; she testifies and presents affidavit of Alice G. Wade of the publication in the San Jose News on March 6, 1954 of Notice of Intention to circulate petition, received and marked Protestants' Exhibit A; Resolution No. 10189, adopted by the Council on March 8, 1954, received and marked Protestants' Exhibit B; the petition requesting an annexation election, in 77 parts, received and marked Protestants' Exhibits: C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, A-12, A-13, A-14, A-15, A-16, A-17, A-18, A-19, A-20, A-21, A-22, A-23, A-24, A-25, A-26, A-27, A-28, A-29, A-30, A-31, A-32, A-33, A-34, A-35, A-36, A-37, A-38, A-39, A-40, A-41, A-42, A-43, A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, and A-53. John M. Burnett, Attorney at Law, calls Russell O'Brien, who is sworn and testifies and is cross examined by Ferdinand P. Palla, Assistant City Attorney. Mr. Bieda speaks from the audience. John M. Burnett, Attorney at Law, calls A. P. Hamann, City Manager,

who is sworn and testifies, and William J. Foley, who is not sworn but testifies. L. Patrick Murphy, E. T. Mather, and Francis Andrade speak from the audience. Ferdinand P. Palla, Assistant City Attorney, presents and files communication from Hayden W. Pitman, County Assessor, Santa Clara County, dated August 30, 1954, advising that Donald Genasci, Supervising Map Draftsman was directed by him to procure information regarding the separate parcels of property within said territory designated as Pala No. 1. In response to Mayor Starbird's call for proponents to said proposed annexation, Hamil O. Wagon speaks in favor of said annexation. No further protestant or proponent is present desirous of being heard. Ferdinand P. Palla, Assistant City Attorney, reads Resolution No. 10575, entitled: "Resolution Of The Council Of The City Of San Jose Finding And Determining That Protest To The Proposed Annexation To The City Of San Jose Of Certain Territory Designated 'Pala No. 1' Has Not Been Made By Owners Of A Majority Of The Separate Parcels Of Property In Said Territory", and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Pala No. 1
Annexation
Hearing Closed

Councilman Hathaway proposes and moves adoption of resolution that the public hearing on the proposed annexation of inhabited territory designated Pala No. 1, be closed, seconded by Councilman Solari, and adopted:

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

Proposed Ordinance
Calling Annexation
Election-Pala No. 1

Councilman Hathaway proposes and moves adoption of resolution that the City Attorney be directed to prepare and submit on September 7, 1954, a proposed ordinance calling and providing for the holding of an election in inhabited territory designated Pala No. 1, seconded by Councilman Solari, and adopted:

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

Recess

Councilman Watson proposes and moves adoption of resolution that the Council recess to reconvene at the call of the Mayor, seconded by Councilman

Santora, and adopted:

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

Recess Council now recesses at 10:23 o'clock P.M.

Reconvene Council now reconvenes at 10:29 o'clock P.M., and the Clerk calls
the roll:

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

Proposed Extension Recommendation of the City Planning Commission, pursuant to Section
N. 2nd St. Through 94 of the Charter, that N. 2nd Street be opened and extended through St. James
St. James Park Park, is presented by the Assistant City Attorney. Councilman Santora
proposes and moves adoption of resolution that said recommendation be accepted
and approved, seconded by Councilman Moore, and adopted:

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

Resolution No. 10576 Resolution No. 10576 directing that a certain Charter amendment pro-
Charter Amendment posed by the Council, in accordance with the provisions of Section 8, Article
Streets Through Parks XI of the Constitution of the State of California be submitted to the electors
of the City of San Jose at a Special Municipal Election to be held on November
2, 1954, is presented by the Assistant City Attorney, and upon motion of
Councilman Santora, seconded by Councilman Moore, adopted:

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

Ordinance No. 4474 Ordinance No. 4474, entitled: "An Ordinance Of The City Of San Jose
Calling Election Calling, Giving Notice Of And Providing For, The Holding Of A Special Munici-
November 2, 1954 pal Election In The City Of San Jose On November 2, 1954, For The Purpose Of
Submitting To The Qualified Electors Of Said City A Proposed Charter Amendment
Relating To Mandatory Separation From Service Of Civil Service Employees Upon
Attaining Age Seventy, A Proposed Charter Amendment Relating To The Opening,
Establishment And Maintenance Of Streets Through Parks And/Or Other Public
Places, A Proposed Ordinance Authorizing The Levy Of A Special Tax For Parks,
Playgrounds, Recreation And Cultural Areas And Facilities, Excluding Golf

Courses, And Consolidating Said Election With The California General Election To Be Held On November 2, 1954th, is presented by the Assistant City Attorney and upon motion of Councilman Santora, seconded by Councilman Moore, adopted:

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

Resolution No. 10577
 Requesting
 Consolidation

Resolution No. 10577 requesting the Board of Supervisors of Santa Clara County to provide for the consolidation of a Special Municipal Election with the State of California General Election to be held November 2, 1954, is presented by the Assistant City Attorney, and upon motion of Councilman Solari, seconded by Councilman Moore, adopted:

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

Bids
 Laurel St.

Polhemus-Emory Sts. improvement of portions of Laurel Street from the N. property line of Polhemus Street to the S. property line of Emory Street. Councilman Solari proposes and moves adoption of resolution that said sealed proposals or bids be opened, seconded by Councilman Watson and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Estimated Quantity	Items	Bidders	
		Leo F. Piazza Paving Co. Price	A. J. Raisch Paving Company Price
27,360 sq.ft.	asphaltic concrete pavement, per sq.ft.	\$ 0.204	\$ 0.22
1,012 lin.ft.	portland cement concrete curb and gutter (combined), per lin.ft.	1.50	1.70
4,315 sq.ft.	portland cement concrete sidewalk, per sq.ft.	0.33	0.32
25 lin.ft.	4" vitrified clay pipe house sewer laterals, per lin.ft.	4.20	5.00
ESTIMATED TOTAL		\$8,628.39	\$9,245.40

Guarantee: Leo F. Piazza Paving Co. - bid bond of Hartford Accident and 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.

Bids
Laurel St.
Polhemus-Emory Sts.

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

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

Bids
Pickup Truck

Clerk reports receipt of four sealed proposals or bids for furnishing one 1954 $\frac{1}{2}$ -ton pickup truck with deluxe cab. Councilman Watson proposes and moves adoption of resolution that said sealed proposals or bids be opened, seconded by Councilman Santora and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Item	Bidders			
	Bob Coyle Chevrolet Co. Price \$ Cts.	Matteoni Truck & Trailer Sales Price \$ Cts.	San Jose Ford Sales Co. Price \$ Cts.	Valley Equipment Company Price \$ Cts.
One 1954 $\frac{1}{2}$ -ton pickup truck with Deluxe Cab	1,296.05	1,441.45	1,232.05	1,250.00

PLUS STATE SALES TAX

Guarantee: Bob Coyle Chevrolet Co. - certified #947 check #22284 (90-82-1211) in amount of \$130.00; Matteoni Truck & Trailer Sales-certified #8393 check #28463 (90-85-1211) in amount of \$145.00; San Jose Ford Sales Co. - certified #27676 check #5009 (90-83-1211) in amount of \$123.25; Valley Equipment Company - cashier's check #17752 (90-82-1211) in amount of \$125.00.

Bids
Pickup Truck

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

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

8th St.
Hearing

This being the time and place fixed by Resolution No. 10541, adopted August 9, 1954, when and where any person may appear and show cause, if any they have, why portions of 8th Street between the N. line of Rosa Street and its northerly terminus, should not be improved without further compliance with the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, Clerk advises that no written protests to said improvement have been filed. No person is present desirous of being heard.

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

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

Resolution No. 10578
8th St.
Improve Without
Compliance

Resolution No. 10578 finding and determining that public convenience and necessity require the improvement of portions of 8th Street between the N. line of Rosa Street and its northerly terminus; that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply and determining that such work and improvement shall proceed under Chapter 6A of Article II of the San Jose Municipal Code, is read and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

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

Resolution No. 10579
8th St.
Intention To Improve

Resolution No. 10579 of intention that the public interest, convenience and necessity require and that the Council intends to order the improvement of portions of 8th Street between the N. line of Rosa Street and its northerly terminus; 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 expenses; declaring applicable laws and procedures; declaring that said improvement 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 objection, is presented and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

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

Pine Ave.
Hearing

This being the time and place fixed by Resolution No. 10543, adopted August 9, 1954, when and where any person may appear and show cause, if any they have, why portions of Pine Avenue between the W. line of Lincoln

Avenue and the W. City Limit Line at Cottle Avenue, should not be improved without further compliance with the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, Clerk advises that no written protests to said improvement have been filed, No person is present desirous of being heard. Councilman Watson proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Moore and adopted:

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

Resolution No. 10580
Pine Ave.
Improve Without
Compliance

Resolution No. 10580 finding and determining that public convenience and necessity require the improvement of portions of Pine Avenue between the W. line of Lincoln Avenue and the W. City Limit Line at Cottle Avenue; that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply and determining that such work and improvement shall proceed under Chapter 6A of Article II of the San Jose Municipal Code. is read and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

Resolution No. 10581
Pine Ave.
Intention To Improve

Resolution No. 10581 of intention that the public interest, convenience and necessity require and that the Council intends to order the improvement of portions of Pine Avenue between the W. line of Lincoln Avenue and the W. City Limit Line at Cottle Avenue; 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 expenses; declaring applicable laws and procedures; declaring that said improvement 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 Watson.

seconded by Councilman Moore, adopted:

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

Roycott Way
Hearing

This being the time and place fixed by Resolution No. 10539, adopted August 9, 1954, when and where any person may appear and show cause, if any they have why portions of Roycott Way between the center line of Lincoln Avenue and the center line of Newport Avenue, should not be improved without further compliance with the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, Clerk advises that no written protest to said improvement have been filed. No person is present desirous of being heard. Councilman Watson proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Moore and adopted:

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

Resolution No. 10582
Roycott Way
Improve Without
Compliance

Resolution No. 10581 finding and determining that public convenience and necessity require the improvement of portions of Roycott Way between the center line of Lincoln Avenue and the center line of Newport Avenue; that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply and determining that such work and improvement shall proceed under Chapter 6A of Article II of the San Jose Municipal Code, is read and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

Resolution No. 10583
Roycott Way
Intention To Improve

Resolution No. 10583 of intention that the public interest, convenience and necessity require and that the Council intends to order the improvement of portions of Roycott Way between the center line of Lincoln Avenue and the center line of Newport Avenue; 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 expenses; declaring applicable laws and procedures; declaring that said improvement 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 Watson, seconded by Councilman Moore, adopted:

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

Jansen Ave.
Hearing

This being the time and place fixed by Resolution No. 10525, adopted August 9, 1954, when and where any and all persons having any objections to the proposed improvement of portions of Jansen Avenue between the W. line of Curtis Avenue and the W. line of Bird Avenue, in accordance with said Resolution No. 10525, may appear and be heard, the Clerk reports that no written protest to said work and improvement 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 Moore, and adopted:

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

Resolution No. 10584
Jansen Ave.
Ordering The Work

Resolution No. 10584 ordering the improvement of portions of Jansen Avenue between the W. line of Curtis Avenue and the W. line of Bird Avenue, is presented and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

16th St. Opening
Hearing

This being the time and place fixed by Resolution No. 10527, adopted August 9, 1954, when and where any and all persons having any objections to the proposed opening and improvement of portions of 16th Street between Mission Street and Vestal Avenue for a width of 50' in accordance with said Resolution No. 10527, may appear and be heard, the Clerk reports that no written protest to said opening and improvement 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 Moore and adopted:

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

Ordinance No. 4475
16th St.
Ordering The
Opening

Ordinance No. 4475, entitled: "An Ordinance Ordering The Opening Of Sixteenth Street From Mission Street To Vestal Avenue As Described In Resolution No. 10527 Of Intention Of The City Of San Jose And Directing An Action To Be Brought By The City Attorney For The Condemnation Of The Property Necessary Or Convenient To Be Taken Therefor", is read and upon motion of Councilman Watson, seconded by Councilman Moore, passed to print:

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

31st St.
Hearing

This being the time and place fixed by Resolution No. 10529, adopted August 9, 1954, when and where any and all persons having any objections to the proposed improvement of portion of 31st Street between the S. line of Santa Clara Street and the N. line of San Antonio Street, in accordance with said Resolution No. 10529, may appear and be heard, the Clerk reports that no written protest to said work and improvement 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 Moore, and adopted:

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

Claims For Damages

Claims of Gilmore W. Erickson on behalf of Gilmore E. Erickson, an infant, in amount of \$100,000 for alleged injuries received June 8, 1954 near the intersection of Lincoln Avenue and Broadway Avenue, are presented. Councilman Watson proposes and moves adoption of resolution that said claims be referred to the City Attorney for consideration, seconded by Councilman Moore, and adopted:

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

real property within said territory as shown on the last equalized assessment roll of the County of Santa Clara, and affidavit of Carl J. Leininger, Assistant City Engineer, dated August 30, 1954, stating that the map attached thereto truly shows the boundaries of the territory described in said petition and that said map further shows the City limit line to which said territory is contiguous and that said territory contains 36.23 acres of land, more or less, are presented by the Assistant City Attorney. Resolution No. 10585 giving notice of proposed annexation to the City of San Jose of that certain uninhabited territory described and designated as Curtner No. 1, and giving notice of the time and place for hearing protests thereto, is presented by the Assistant City Attorney and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

Ordinance No. 4468
Annual Appropriations

Ordinance No. 4468, entitled: "An Ordinance Of The City Of San Jose Allocating And Appropriating Certain Sums Of Money For The Emergency Fund, For Certain Operating Expenses, And For Debt Retirement, For The Fiscal Year Beginning September 1, 1954, And Ending August 31, 1955; And Authorizing The Expenditure Of Such Sums For Said Purposes", passed to print August 23, 1954, is given final reading and upon motion of Councilman Santora, seconded by Councilman Solari, adopted:

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

Ordinance No. 4469
Purchase Property
SW 3rd & Martha Sts.

Ordinance No. 4469, entitled: "An Ordinance Of The City Of San Jose Authorizing Execution Of Contract For Purchase Of Certain Real Property At Third And Martha Streets For Fire House Purposes; Appropriating \$28,500.00 From The 1952 Fire Protection Bond Fund For Payment Of The Purchase Price Thereof; And Authorizing Performance Of Said Contract And Expenditure Of Said Money For Said Purpose", passed to print August 23, 1954, is given final reading and upon motion of Councilman Santora, seconded by Councilman Moore, adopted:

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

Ordinance No. 4470
Not Adopted

Ordinance No. 4470, entitled: "An Ordinance Calling, Giving Notice Of And Providing For The Holding Of A Special Municipal Election In The City Of San Jose On November 2, 1954, For The Purposes Of Submitting To The Qualified Electors Of Said City A Proposed Charter Amendment, And Consolidating Said Election With The California General Election To Be Held On November 2, 1954", passed to print August 23, 1954 is given final reading. Councilman Watson proposes and moves adoption of resolution that said Ordinance No. 4470 be not adopted, seconded by Councilman Santora, and adopted:

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

Ordinance No. 4471
Salary Increase
Electrician

Ordinance No. 4471, entitled: "An Ordinance Of The City Of San Jose Amending Section 5.73 Of Ordinance No. 4370, Adopted April 26, 1954, 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 Increased Salary Range For The Classification Electrician; Providing That The Effective Date Hereof Be September 1, 1954; And Repealing All Other Ordinances And Parts Of Ordinances Not Adopted By Vote Of The People In Conflict Herewith", passed to print August 23, 1954, is given final reading and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

Ayes: Councilmen - Moore, Santora, Solari and Watson.
Noes: Councilmen - Starbird.
Having expressed his opinion that he is disqualified with reference to said question:
Not Voting: Councilmen - Foley.
Absent: Councilmen - Hathaway.

Ordinance No. 4472
Contract For
Photographic Work

Ordinance No. 4472, entitled: "An Ordinance Of The City Of San Jose Authorizing Execution Of A Contract Between Said City And John H. Lancaster Providing For The Furnishing Of Photographic Services To City And For The Use Of City Photographic Equipment And Facilities By Said Lancaster", passed to print August 23, 1954, is given final reading and

upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Ordinance No. 4473
Compromise Claim

Ordinance No. 4473, entitled: "An Ordinance Of The City Of San Jose Authorizing The City Manager And City Attorney To Compromise The Claim Of Vita Rapazzini And Angelo Rapazzini, Her Husband, Against The City Of San Jose; And Appropriating The Sum Of \$1,500.00 From The Judgment And Losses Account Of The General Fund To The City Manager And Authorizing The City Manager To Pay The Said Sum Of \$1,500.00 In Satisfaction Of Said Claim," passed to print August 23, 1954, is given final reading and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Fire Hydrants
Reducers
Award

C. J. Leininger, Assistant City Engineer, reports that bid of Pacific States Cast Iron Pipe Company at the prices named in its bid opened August 23, 1954, is the lowest responsible bid for furnishing 75 - 42" fire hydrants, 10 - 36" fire hydrants, 5 - 30" fire hydrants, and 24 fire hydrant reducers, and that the Fire Chief and the Purchasing Agent recommend that said bid be accepted. Councilman Watson proposes and moves adoption of resolution that bid of Pacific States Cast Iron Pipe Company for furnishing said fire hydrants and reducers be accepted and contract be awarded for furnishing said equipment, seconded by Councilman Santora, and adopted:

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

Off-Street Parking
Requirements
C Commercial Dist.

As deferred from August 23, 1954, Council now considers 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 the C Commercial District (Professional-Office). Councilman Santora proposes and moves adoption of resolution that said proposed amendment to Section 9103.4a of the San Jose Municipal Code, be not approved, seconded by Councilman Moore, and adopted:

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

Ordinance No. 4476
Rezoning N. 12th St. Et Al

As deferred from August 23, 1954, the Council now considers the proposed rezoning of certain real property located on the W. side of 12th Street and the E. and W. sides of 13th, 14th, 15th, 16th and 17th Streets between Santa Clara Street and San Fernando Street from R-2 Residence District to C Commercial District (Professional-Office). Ordinance No. 4476, entitled: "An Ordinance Amending The San Jose Municipal Code, By Adding A New Section Thereto To Be Numbered 9102.44z20, Rezoning The East And West Sides Of South 12th, 13th, 14th, 15th, 16th And 17th Streets, Between A Line 137.50 Feet South Of East Santa Clara Street And San Fernando Street", is read and upon motion of Councilman Santora, seconded by Councilman Watson, passed to print:

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

Complaint
Sidewalk Repair
Costs

As referred on August 23, 1954, the Assistant City Attorney requests, and Councilman Santora proposes and moves adoption of resolution that consideration of the petition of John Castello and others, requesting investigation of the condition of the sidewalks on Park Avenue between Hedding and Davis Streets, also who should be responsible for the repair of same, be deferred to September 7, 1954, seconded by Councilman Watson, and adopted:

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

Ordinance No. 4477
Compensation For
Retirees

Ordinance No. 4477, entitled: "An Ordinance Amending Section 2904.32 Of The San Jose Municipal Code Relating To Compensation Allowed One Entitled To A Retirement Allowance", is presented by the Assistant City Attorney and upon motion of Councilman Watson, seconded by Councilman Foley, passed to print:

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

Police Department
Form Of Organization

Recommendation of the Chief of Police and the City Manager, dated August 24, 1954, that in accordance with Article X, Section 74, Charter, the Council determine the Form of Organization of the Police Department to be as follows:

- 1 - Chief of Police
- 1 - Assistant Chief of Police
- 1 - Inspector of Operations
- 1 - Chief of Detectives
- 3 - Captains
- 1 - Traffic Analyst
- 3 - Lieutenants
- 23 - Sergeants (Detective)
- 1 - Chief Identification Officer
- 1 - Senior Identification Officer
- 5 - Identification Officers
- Director of Auxiliary Police
- 84 - Police Officers
- 2 - Traffic Analyst Assistants
- 1 - Bicycle Bureau Chief
- 4 - Juvenile Officers
- 1 - Policewoman
- 1 - Stenographer Clerk III
- 1 - Typist Clerk II
- 2 - Stenographer Clerks II
- 2 - Stenographer Clerks I

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

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

Resolution No. 10586
Compensation
Allowance
(William Creamer)

Request of the Chief of Police that by authority of Section 24 of Ordinance No. 3100, William Creamer, Police Officer, be allowed disability payment for the month of September 1954, of \$418.52 in lieu of Workmen's Compensation payments due to injuries received in line of duty, is read. Resolution No. 10586 providing for additional compensation to be paid William Creamer on account of injuries received while acting as Police Officer, Police Department, is read and upon motion of Councilman Santora, seconded by Councilman Solari, adopted:

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

Monthly Reports

Reports of the City Auditor and the Police Department for July, 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 Watson Bros. Contractors