

COUNCIL MINUTES

39

SEPT. 27, 1954 - OCT. 15, 1954

Monday

San Jose, California

September 27, 1954

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

Roll Call

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

Absent: Councilmen - None.

Invocation

Invocation is given by Reverend Clyde W. Everton.

Minutes

Councilman Watson proposes and moves adoption of resolution that consideration of the Minutes 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, 26, 30, September 7, 13 and 20, 1954, be deferred, seconded by Councilman Moore, and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - None.

Bids

14th St.

Mission-Taylor Sts.

Clerk reports receipt of two sealed proposals or bids for the improvement of portions of 14th Street from the center line of Mission Street to the center line of Taylor Street. Councilman Hathaway proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Moore, and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - None.

Bids

Clerk now opens said sealed proposals or bids.

Estimated Quantities	Items	Bidders	
		Leo F. Piazza Paving Co. Price \$ Cts.	A. J. Raisch Paving Company Price \$ Cts.
28,470 sq. ft. asphaltic concrete paving, per sq. ft.		0.22	0.232
1,760 lin. ft. portland cement concrete curb, per lin. ft.		1.38	1.49
7,635 sq. ft. portland cement concrete sidewalk, per sq. ft.		0.28	0.30
2 each brick manholes, each		228.00	180.00

Estimated Quantities	Items	Bidders	
		Leo F. Piazza Paving Co. Price \$ Cts.	A. J. Raisch Paving Company Price \$ Cts.
625 lin. ft.	4" V.C.P. house sewer laterals, per lin. ft.	1.32	1.21
885 lin. ft.	6" V.C.P. sanitary sewer main, per lin. ft.	1.68	1.54
ESTIMATED TOTAL		\$13,597.80	\$13,997.09

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
14th St.
Mission-Taylor Sts. Councilman Solari 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 - Foley, Hathaway, Moore, Santora, Solari, Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - None.

Bids
20th St.
Jackson-Taylor Sts. Clerk reports receipt of two sealed proposals or bids for 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. Councilman Watson proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Moore, and adopted:

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

Bids Clerk now opens said sealed proposals or bids.

Estimated Quantities	Items	Bidders	
		Leo F. Piazza Paving Co. Price \$ Cts.	A. J. Raisch Paving Company Price \$ Cts.
28,006 sq. ft.	asphaltic concrete paving, per sq. ft.	0.22	0.274
1,710 lin. ft.	portland cement concrete curb and gutter, per lin. ft.	1.25	1.50
6,744 sq. ft.	portland cement concrete sidewalk, per sq. ft.	0.31	0.30
105 lin. ft.	8" cement concrete pipe storm drain, per lin. ft.	3.33	3.40
-2-			9-27-54

Estimated Quantities	Items	Bidders	
		Leo F. Piazza Paving Co. Price \$ Cts.	A. J. Raisch Paving Company Price \$ Cts.
2 each	storm water inlets, each	132.00	121.00
2 each	brick manholes, each	265.00	220.00
650 lin. ft.	4" V.C.P. house sewer laterals, per lin. ft.	1.44	1.32
907 lin. ft.	6" V.C.P. sanitary sewer main, per lin. ft.	1.68	1.54
Estimated Total		\$13,992.87	\$15,555.62

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
20th St.
Jackson-Taylor 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 Hathaway, and adopted:

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

Bids
31st St.
Santa Clara-San Antonio Sts.

Clerk reports receipt of two sealed proposals or bids for improvement of portions of 31st Street from the S. property line of Santa Clara Street to the N. property line of San Antonio Street. Councilman Watson proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Santora, and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Estimated Quantities	Items	Bidders	
		Leo F. Piazza Paving Co. Price \$ Cts.	A. J. Raisch Paving Company Price \$ Cts.
36,719 sq. ft.	asphaltic concrete pavement per sq. ft.	0.20	0.188
268 lin. ft.	portland cement concrete curb and gutter (comb.), per lin. ft.	1.38	1.56
1,340 sq. ft.	portland cement concrete sidewalk, per sq. ft.	0.26	0.30

Estimated Quantities	Items	Bidders			
		Leo F. Piazza Paving Co.		A. J. Raisch Paving Company	
		Price	Cts.	Price	Cts.
621 sq.ft.	gutter to be resurfaced with asphaltic concrete, per sq.ft.		0.01		0.07
255 sq.ft.	driveway ramps to be resurfaced with sheet asphalt, per sq.ft.		0.17		0.17

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
31st St.
Santa Clara-San Antonio 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 Hathaway and adopted:

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

Bids
Moving House & Appurtenances
1027 Polhemus St. Clerk reports receipt of two sealed proposals or bids for moving the city-owned house and appurtenances at 1027 Polhemus Street. Councilman Watson proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Moore and adopted:

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

Bids Clerk now opens said sealed proposals or bids.

Items	Bidders			
	Kelly Bros., Inc.		Howard L. Kelly	
	Price	Cts.	Price	Cts.
Moving house and appurtenances per plans and specifications, per lump sum		4,380.00		4,225.00*

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

Guarantee: Kelly Bros., Inc. - bid bond of United Pacific Insurance Company in amount of \$750.00; Howard L. Kelly - none.

Bids
Moving House & Appurtenances
1027 Polhemus St. Councilman Watson proposes and moves adoption of resolution that said proposals or bids be referred to the City Attorney and City Engineer for consideration and report, seconded by Councilman Santora and adopted:

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

Willow Glen Way
Bird-Guadalupe River
Hearing Closed

This being the time fixed by Resolution No. 10606, adopted September 7, 1954, when and where any person may appear and show cause, if any they have, why the public convenience and necessity does not require the opening and improvement of Willow Glen Way between Bird Avenue and Guadalupe River, without further compliance with the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931", Clerk advises no written protest to said proposed improvement has been filed. No person is present desirous of being heard. Councilman Watson proposes and moves adoption of resolution that said public hearing be closed, seconded by Councilman Hathaway and adopted:

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

Resolution No. 10644
Willow Glen Way
Convenience &
Necessity

Resolution No. 10644 finding and determining that the public convenience and necessity require the opening of Willow Glen Way, from Bird Avenue to Guadalupe River; that the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" shall not apply, and determining that such project shall proceed under the terms and provisions of Part 2, Chapter 6A, Article II of the San Jose Municipal Code, is presented and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

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

Resolution No. 10645
Willow Glen Way
Intention To Open

Resolution No. 10645 declaring intention to order the opening of Willow Glen Way, from Bird Avenue to Guadalupe River; describing said proposed improvement; finding and declaring that said improvement is of more than local or ordinary public benefit and declaring that the cost and expense thereof shall be assessed upon the district benefited by said improvement; describing said district; determining and declaring that serial bonds shall be issued to represent unpaid assessments; describing said bonds; giving an estimate of total costs and expenses; declaring the laws and procedures pursuant to which all of said work shall be done without compliance with the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931"; and giving

notice of the day, hour and place for the hearing by the Council of all protests and objections, is read and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

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

Historic Landmarks
Commission
Appointments

Nominations are now declared in order for the office of Commissioners, Historic Landmarks Commission, three to be appointed for three year terms, vice Daniel K. Stern, Percy H. Thompson and Jay McCabe, terms expiring October 1, 1954. Councilman Watson nominates Daniel K. Stern, Percy H. Thompson and Jay McCabe, and nominations are seconded by Councilman Santora. No further nominations are heard, whereupon nominations are closed. Councilman Watson proposes and moves adoption of resolution that Daniel K. Stern, Percy H. Thompson and Jay McCabe be declared appointed to the office of Commissioner, Historic Landmarks Commission, each for a three year term, ending October 1, 1957, seconded by Councilman Santora and adopted:

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

S W G No. 21
Annexation
(Inhabited)

As deferred from September 20, 1954, Council now considers the petition of Robert J. Simmons, and others, dated September 14, 1954, requesting consent to the commencement of annexation proceedings of inhabited territory, pursuant to the Annexation Act of 1913 and prior consent to proposed annexation of sub-divided territory. Report of the Boundary Commission of Santa Clara County that on July 12, 1954, it approved the definiteness and certainty of the boundaries for said territory, is presented by the City Attorney. Resolution No. 10646, entitled: "Resolution Referring To The City Planning Commission Of The City Of San Jose, For Its Report Or Recommendations, A Request For The Consent Of The Council Of The City Of San Jose To The Commencement Of Proceedings Pursuant To The Annexation Act Of 1913 To Annex Certain Territory To Said City, And For The Said Council's Prior Consent To Said Annexation", is presented by the City Attorney and upon motion of Councilman Hathaway, seconded by Councilman Santora, adopted:

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

Improve
Hervey Lane &
Minnesota Ave.

Petition of property owners requesting the improvement of portions of Hervey Lane between Minnesota Avenue and 3rd angle S. of Minnesota Avenue, is presented. Resolution No. 10546.1, entitled: "Resolution Directing The Preparation Of Plans And Specifications And A Map Showing Proposed Boundaries Of The District To Be Assessed For The Imprcvement Of Hervey Lane Between The Southwesterly Line Of Minnesota Avenue And The Most Southerly Line Of Lot 1, Hervey Homestead Lots, As Recorded", is read, and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

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

Proclamation
"Religious Education
Week"

Request of San Jose Council of Churches that September 26 through October 3, 1954 be proclaimed as "Religious Education Week", in San Jose, is present. 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 - Foley, Hathaway, Moore, Santora,
Solari, Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - None.

Proclamation
"Hope For Retarded
Children Week"

Request of Hope For Retarded Children, Inc. that November 21 through November 27, 1954 be proclaimed as "Hope For Retarded Children Week", in San Jose, is presented. Councilman Santora 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 - Foley, Hathaway, Moore, Santora,
Solari, Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - None.

Endorsement
Central Labor Council
Wage Increase

Communication from the Central Labor Council endorsing requests of City Employees Unions for wage increases and fringe benefits and urging full consideration of same, is presented. Councilman Hathaway proposes and moves adoption of resolution that said endorsement be referred to the Committee on Finance for consideration and report,

seconded by Councilman Moore, and adopted:

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

Sewer Connection
Alviso Elementary
School

Communication from A. T. Hurst, Principal, Alviso Elementary School, inquiring as to the possibility of connecting an eight-class-room school to be constructed on a fifteen acre tract on First Street Road, to the San Jose sewer system, is presented. Councilman Santora proposes and moves adoption of resolution that said inquiry be referred to the City Manager for study and report, seconded by Councilman Moore, and adopted:

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

Parade Permit
Not Needed

Request of the Santa Clara Valley Horsemen's Association on behalf of the Castro Valley Riders, for a permit to proceed through the City on horseback from 13th Street and The Bayshore Highway to the Santa Clara County Fairgrounds, between 3:00 and 5:00 o'clock P.M., October 3, 1954, is presented. By unanimous consent, it is determined that said procession does not constitute a parade and no permit is required, and the Clerk be directed to so advise said Association.

Taxicab Stands
Allocation

Communications from Harry C. Yant, United Taxi Company, Inc. and Carney M. Fanarjian, G. I. Taxi Company, protesting allocation of taxicab stands in the City, are presented. Councilman Watson proposes and moves adoption of resolution that said communications be referred to the Board of Taxicab Review for consideration and report by October 25, 1954, seconded by Councilman Hathaway, and adopted:

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

Students Of Lincoln
And San Jose High
Schools

Mayor Starbird welcomes students from Lincoln and San Jose High Schools, and introduces members of the Council.

Resolution No. 10647
Through Traffic Streets
Rosa-Hedding Sts.

M. A. Dominick and Wallace Murray urge installation of four-way stop signs at Hedding and Myrtle Streets. General discussion is had.

A. P. Hamann, City Manager, presents report of Traffic Analyst, recom-

mending that portions of Hedding and Rosa Streets be designated through traffic streets. Resolution No. 10647 determining and designating through streets within the City of San Jose, which adds Hedding Street (and Hedding Court) from the Guadalupe River to the west line of Home-wood Avenue, but excludes its intersection with Bascom Avenue, Park Avenue, The Alameda and Coleman Avenue, and adds Rosa Street from the Guadalupe River to the east line of 12th Street, but excluding its intersection with 1st Street, 4th Street, and 10th Street, and repealing Resolution No. 10639 adopted September 20, 1954, is presented by the City Attorney and upon motion of Councilman Santora, seconded by Councilman Hathaway, adopted:

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

Complaint
Noise Nuisance

James Rodibough protests nuisance caused by noisy mufflers on vehicles and violating stop signs in vicinity of 2nd and San Salvador Streets, and is advised to contact the City Attorney who is presently working on legislation against noisy mufflers on vehicles.

Moving House

Pursuant to 8504 of the San Jose Municipal Code, notification, from the City-Engineer that protest having been received to the proposed moving of one-story frame building located at the NE corner of Almaden Avenue and Koch Lane, to a lot on Curtner Avenue between #1022 and #1040, he has fixed 8:00 o'clock P.M., October 4, 1954, Council Chambers, City Hall, as the time and place for hearing on protests and for a report from the Committee on Streets and Sewers, to said proposed house moving, is presented. Councilman Foley proposes and moves adoption of resolution that said notification be approved and that the Committee on Streets and Sewers be directed to report on October 4, 1954, seconded by Councilman Watson, and adopted:

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

Proclamations

Requests from the Bayshore Paper Company that October 18 through 30, 1954, be proclaimed as "Edison Light's Diamond Jubilee"; Santa Clara County Pharmaceutical Association that October 3 through

9, 1954, be proclaimed as "National Pharmacy Week"; Petroleum Industry that October 16 through 23, 1954, be proclaimed as "Oil Progress Week"; American Association for the United Nations, Inc., Northern California Council, that October 18 through 24, 1954, be proclaimed as "United Nations Week", and Franklin Hichborn, United States Day, Inc., that October 23, 1954, be proclaimed "United Nations Day", are presented. Councilman Watson proposes and moves adoption of resolution that said requests be granted and the Mayor be authorized to so proclaim, seconded by Councilman Santora, and adopted:

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

Ordinance No. 4489
Purchase Property
(Bihn)

Ordinance No. 4489, entitled: "An Ordinance Authorizing The Mayor And City Manager To Purchase For The Widening Of San Carlos Street And Such Other Municipal Purposes As The City Council May Direct, A Certain Described Parcel Of Real Property From Adelbert W. Bihn And Marian P. Bihn, His wife; To Deposit In Escrow And Pay The Purchase Price Of Said Real Property And To Pay Necessary Recording, Stamp Tax, Escrow, Title Search And Such Other Fees And Expenses As Are Necessarily Incurred In Connection With Said Purchase; And Appropriating The Sum Of \$2,223.12 From The Special Gas Tax Fund", passed to print September 20, 1954, is given final reading and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Ordinance No. 4490
Exchange Property
(Ellis)

Ordinance No. 4490, 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 Gus Peter Ellis And Chrissie C. Ellis; And Setting Forth The Terms Of Said Agreement", passed to print September 20, 1954, is given final reading and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Ordinance No. 4491
Rezoning
N. 1st & Rosemary Sts.

As deferred from September 20, 1954, the Council now con-
siders the proposed rezoning of all or a part of the real property
at the southwest corner of N. 1st Street and Rosemary Street, from
R-2 Residence District to C Commercial District (Professional-Office)
pursuant to Section 9112.1(c) of the San Jose Municipal Code. Ordinance
No. 4491, entitled: "An Ordinance Amending The San Jose Municipal
Code, By Adding A New Section Thereto To Be Numbered 9102.44z21,
Rezoning The Southwest Corner Of North First And Rosemary Streets",
is presented and upon motion of Councilman Santora, seconded by
Councilman Hathaway, passed to print:

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

Electric Lamps
Award

A. P. Hamann, City Manager, advises that the Purchasing
Agent reports that the bid of Bayshore Paper Company at the prices
named in its bid opened September 20, 1954, for furnishing Electric
Lamps for the balance of the fiscal year ending August 31, 1955, is
the lowest responsible bid and recommends that said bid be accepted.
Councilman Santora proposes and moves adoption of resolution that
said bid of Bayshore Paper Company be accepted, contract be awarded
for furnishing said supplies, and all other bids be rejected,
seconded by Councilman Watson, and adopted:

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

Electric Calculator
Award

A. P. Hamann, City Manager, advises that the Purchasing
Agent reports that the bid of Marchant Calculator Company at the
price named in its bid opened September 20, 1954, for furnishing
one Electric Calculator for the Purchasing Department, is the lowest
responsible bid and recommends that said bid be accepted. Council-
man Moore proposes and moves adoption of resolution that said bid
of Marchant Calculator Company be accepted and contract be awarded

for furnishing said equipment, seconded by Councilman Watson, and adopted:

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

Proposed Extension
Routes 3 & 7
S.J. City Lines, Inc.

As deferred from September 20, 1954, the Council now considers request for extension of bus service on Route No. 3 of the San Jose City Lines, Inc., serving South Willow Glen No. 10 area, and the recommendation of the City Planning Commission, filed September 20, 1954, that request for extension of bus service adjacent to Winchester Road and Crestview (Bascom Gardens #6 and #7) being Route No. 7 of the San Jose City Lines, Inc., be denied. A. P. Hamann, City Manager, reports that he is to meet with officials of the San Jose City Lines, Inc., to discuss said extensions of bus service and recommends and Councilman Hathaway proposes and moves adoption of resolution that consideration of proposed extension of bus service on Route No. 3 and Route No. 7 of the San Jose City Lines, Inc., be deferred to October 4, 1954, seconded by Councilman Foley, and adopted:

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

Settlement With
S. J. Sanitation
Service

Councilman Hathaway, Chairman of the Committee on Finance, reports that said Committee recommends that as settlement for counter claims made by the San Jose Sanitation Service, and the City, said company offers to pay the City, as a compromise, the net sum of \$3,409.16, and Councilman Hathaway proposes and moves adoption of resolution that the City Attorney be directed to prepare the necessary documents effectuating said settlement and submit for consideration by the Council, seconded by Councilman Foley, and adopted:

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

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., October 11, 1954, at the Hotel Sainte Claire.

Zoning
Maypark #4

Recommendation of the City Planning Commission that proposed emergency ordinance classifying into districts the recently annexed uninhabited area designated Maypark No. 4, and proposed resolution requiring the City Planning Commission to make tentative report on zoning of said uninhabited area, be adopted, is read. Councilman Hathaway proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Santora, and adopted:

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

Ordinance No. 4492
Emergency Zoning
Maypark No. 4

Ordinance No. 4492, entitled: "An Emergency Ordinance Classifying Into Districts The Recently Annexed Area Known As Maypark No. 4", is read and upon motion of Councilman Hathaway, seconded by Councilman Santora, adopted as an ordinance for the immediate preservation of the public peace, health and safety by a 5/7 vote of the Council:

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

Resolution No. 10648
Tentative Report
Zoning
Maypark No. 4

Resolution No. 10648, requiring the City Planning Commission to make tentative report on zoning uninhabited annexed area known as Maypark No. 4, pursuant to 9102.46 of the San Jose Municipal Code, is read and upon motion of Councilman Hathaway, seconded by Councilman Santora, adopted:

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

Fire House
3rd & Martha Sts.

Recommendation of the City Planning Commission, pursuant to Section 94 of the Charter, that plans for Fire House, as prepared by Jaekle & French, Architects, and the location of said Fire House at the SW corner of 3rd and Martha Streets, be approved, is read. Councilman Hathaway proposes and moves adoption of resolution that said recommendation be accepted and approved, seconded by Councilman Santora, and adopted:

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

Invite Bids
Fire House
3rd & Martha Sts.

A. P. Hamann, City Manager, recommends and Councilman Hathaway proposes and moves adoption of resolution that the City Manager be authorized to invite bids for construction of Fire House at the SW corner of 3rd and Martha Streets, and Fire House at Minor and Auzeais Avenues, seconded by Councilman Watson, and adopted:

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

Ordinance No. 4493
Appropriation
Fire Houses

Ordinance No. 4493, entitled: "An Ordinance Appropriating The Sum Of \$170,000 From The Unappropriated Surplus Of The 1952 Fire Protection Bond Fund To The Department Of Public Works For the Construction Of Fire Stations", is presented by the Assistant City Manager, and upon motion of Councilman Hathaway, seconded by Councilman Santora, passed to print:

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

Ordinance No. 4494
Deficiency
Appropriations

Ordinance No. 4494, entitled: "An Ordinance Appropriating The Sum Of \$20,430 From The Unappropriated Surplus Of The General Fund To Various Department; Appropriating Sums Totaling \$903,367 From The Unappropriated Surplus Of Various Special Revenue Funds And Authorizing The Transfer Of \$903,367 Of Expenditures, Previously Charged To The General Fund, To Said Special Revenue Funds; And Making Such Appropriations And Transfers Applicable To The 1953-54 Fiscal Year And Retroactive In Effect To August 31, 1954", is presented by the Assistant City Manager, and upon motion of Councilman Hathaway, seconded by Councilman Foley, passed to print:

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

Resolution No. 10649
James Lick Trust Fund
Dividends

Resolution No. 10649, entitled: "Resolution Authorizing Payments Of Dividends Accruing To The Benefit Of The Contingent James Lick Trust Fund", is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Moore, adopted:

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

Resolution No. 10650
Contract With
Irving L. Ryder

Resolution No. 10650, authorizing the Mayor and City Manager to execute agreement with Irving L. Ryder for services as a Consultant Engineer, is presented by the City Attorney. General discussion is had with the City Engineer and the City Attorney. Councilman Watson proposes and moves adoption of resolution that said Resolution No. 10650 be adopted, seconded by Councilman Santora, and adopted:

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

Resolution No. 10651
Agreement With
Clyde L. Arbuckle

Resolution No. 10651, authorizing the Mayor and City Manager to execute agreement with Clyde L. Arbuckle for services in connection with the exhibition of the Replica of the State Capitol Building, is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Resolution No. 10652
Federal Aid For
Health Department

Resolution No. 10652, entitled: "Resolution Authorizing The Execution Of A Contract Between The State Of California, Department Of Public Health, And The City Of San Jose For Federal Allocations To Local Public Health Agencies", is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Resolution No. 10653
Burbank No. 4
Withdrawing From
Fire District

Resolution No. 10653, withdrawing a portion of Burbank No. 4 Annexation District from the Central Fire Protection District of the County of Santa Clara, is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

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

Resolution No. 10654
Burbank No. 4
Withdrawing From
Lighting District

Resolution No. 10654, withdrawing Burbank No. 4 Annexation District from the Maypark Lighting District in the County of Santa Clara, is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Ordinance No. 4495
Fire House
3rd & Martha Sts.

Ordinance No. 4495, entitled: "An Ordinance Setting Forth The Terms And Provisions Of A Contract To Be Entered Into Between Donnell E. Jaekle, Architect, And The City Of San Jose, For The Drawing Of Plans And Specifications For A New Fire House To Be Located At The Corner Of Martha And Third Streets; Authorizing The Mayor And City Manager To Execute Said Contract; And Appropriating The Sum Of \$2,500.00 For The Payment Of Services Herein Agreed To Be Performed By Architect From The 1952 Municipal Bond Series A", is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Foley, passed to print:

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

Ordinance No. 4496
Option To Purchase
(Boccardo Property)

Ordinance No. 4496, entitled: "An Ordinance Appropriating The Sum Of \$2,500.00 From The Unappropriated Surplus Of The General Fund To The City Manager For The Purpose Of Purchasing An Option Or Options To Real Property In Connection With The Off Street Parking Program; Providing For The Reimbursement Of Said General Fund From An Off Street Parking Revenue Bond Fund To Be Established; And Authorizing The City Manager To Make Payments For Said Purpose", is presented by the City Attorney, 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.

Ordinance No. 4497
Agreement With
Arnold B. Jamison

Ordinance No. 4497, entitled: "An Ordinance Of The City Of San Jose Authorizing The Mayor And City Manager To Enter Into With Arnold B. Jamison An Agreement For The Appraisal Of Certain Property Within The City Of San Jose In Connection With The Widening Of McKee Road From 24th Street To Bayshore Highway; Appropriating The Sum Of \$1,173.67 From The Special Gas Tax Street Improvement Fund For The Payment Of Services Rendered Pursuant To Said Agreement; And Authorizing The City Manager To Pay For Said Services Rendered Pursuant To Said Agreement," is presented by the City Attorney and upon motion of Councilman Watson, seconded by Councilman Hathaway, passed to print:

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

Ordinance No. 4498
Appropriation
(Paradiso Property)

Ordinance No. 4498, entitled: "An Ordinance Appropriating Additional Sum Of \$343.74 From The Special Gas Tax Improvement Fund In Connection With The Purchase By The City Of San Jose Of Certain Real Property From Elge Paradiso And Juliette Paradiso, His Wife, For The Widening Of San Carlos Street", is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Hathaway, passed to print:

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

Resolution No. 10655
Condemnation Of
(DeWit Property)

Resolution No. 10655 finding and determining that the public convenience and necessity require the acquisition for off-street parking purposes certain real property from Ruth M. DeWit, and authorizing and directing an action to be brought by the City Attorney for the condemnation of said property, is presented by the City Attorney 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. 10656
Condemnation Of
(Bohnett Property)

Resolution No. 10656 finding and determining that the public convenience and necessity require the acquisition for off-street parking purposes certain real property from L. D. Bohnett, and authorizing and

directing an action to be brought by the City Attorney for the condemnation of said property, is presented by the City Attorney 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. 10657
Two-Hour Parking
Limit

Resolution No. 10657 designating two-hour parking limit upon certain streets in the City of San Jose, is presented by the City Attorney 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.

Ordinance No. 4499
Designating
Speed Limits

Ordinance No. 4499, entitled: "An Ordinance Of The City Of San Jose Establishing Certain Speed Limits Along Certain Streets Or Portions Thereof Below The Maximum Speed Limit Established By State Law", is presented by the City Attorney and upon motion of Councilman Watson, seconded by Councilman Moore, passed to print:

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

Resolution No. 10658
Two-Way Stop
Intersections

Resolution No. 10658 determining and designating Stop Intersections and repealing Resolution No. 10600, adopted September 7, 1954, is presented by the City Attorney and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Contract Bonds

Councilman Watson proposes and moves adoption of resolution that in contract with Kevry Construction, Inc., for the construction of concrete storm water sewers and appurtenances in San Jose Storm Sewer System, Campbell-Newhall, the bond for faithful performance be fixed at \$2,200 and the bond of Kevry Construction, Inc. as principal, and United States Fidelity and Guaranty Company, as surety, to the City of San Jose, in the amount of \$4,400, securing claims of materialmen and laborers, be approved, seconded by Councilman Santora, and adopted:

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

Invite Bids
Tractor Shovel
Loader

A. P. Hamann, City Manager, recommends and Councilman Watson proposes and moves adoption of resolution that the City Manager be authorized to invite bids for furnishing one rubber tired Tractor Shovel Loader for the Department of Public Works, seconded by Councilman Santora and adopted:

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

American Public
Health Assn.
Meeting

Request of Saul Ruby, M.D., Health Officer, for permission to attend the American Public Health Association meeting in Buffalo, New York, October 11 through 15, 1954, is presented by the City Manager. Councilman Santora proposes and moves adoption of resolution that Saul Ruby, M.D. Health Officer be authorized to attend said meeting and that he be allowed necessary expenses not to exceed \$340.60, seconded by Councilman Hathaway and adopted:

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

Resolution No. 10659
Dana Ave.
Approving Diagram

Diagram showing the district affected and benefited by the improvement of portions of Dana Avenue from the N. line of Calaveras Avenue to a point 138.65' south of the S. property line of Hester Avenue, and to be assessed for the costs and expenses of said improvement, is presented. Resolution No. 10659 approving said diagram is presented and upon motion of Councilman Santora, seconded by Councilman Hathaway, adopted:

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

Resolution No. 10660
Bascom Ave.
Approving Diagram

Diagram showing the district affected and benefited by the improvement of portions of Bascom Avenue from the center line of Naglee Avenue to the center line of Davis Street, and to be assessed for the costs and expenses of said improvement, is presented. Resolution No. 10660 approving said diagram is presented and upon motion of Councilman

Watson, seconded by Councilman Santora, adopted:

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

Resolution No. 10661
Lincoln & Minnesota Aves.
Adopting Plans

Resolution No. 10661 adopting plans and specifications for
the improvement of portions of Lincoln Avenue and Minnesota Avenue, ad-
jacent to the Willow Glen School, is presented and upon motion of
Councilman Watson, seconded by Councilman Santora, adopted:

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

Resolution No. 10662
The Alameda-Polhemus
& Naglee Aves.
Adopting Plans

Resolution No. 10662 adopting plans and specifications for
the improvement of portions of The Alameda, Polhemus Street and Naglee
Avenue, Major City Streets, is presented and upon motion of Councilman
Hathaway, seconded by Councilman Moore, adopted:

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

Monthly Report

Report of the Police Department for August, 1954, is presen-
ted and filed.

Alcoholic Beverage
Control Act

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

Resignation
F.C.E.R.S.

Mayor Starbird submits resignation as a member of the Board
of Administration, Federated City Employees Retirement System, and
requests that nomination for appointment of a successor be placed on
the agenda for October 4, 1954.

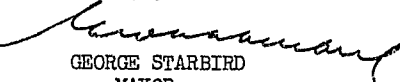
Adjourn

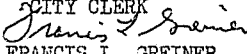
Councilman Watson proposes and moves adoption of resolution
that the Council adjourn, seconded by Councilman Moore, and adopted:

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

Adjourn

Council now adjourns at 9:58 o'clock P.M.


GEORGE STARBIRD
MAYOR

ATTEST:
DOROTHY COVILL
CITY CLERK
BY 
FRANCIS L. GREINER
DEPUTY

Monday

San Jose, California

October 4, 1954

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

Roll Call

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

Invocation

Invocation is given by Reverend Eugene Duncan.

Minutes

Councilman Watson proposes and moves adoption of resolution that consideration of the Minutes 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, 26, 30, September 7, 13, 20 and 27, 1954 be deferred, seconded by Councilman Moore and adopted:

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

Bids
Traffic Line Paint

Clerk reports receipt of six sealed proposals or bids for traffic line paint. Councilman Santora proposes and moves adoption of resolution that said sealed proposals or bids be opened, seconded by Councilman Moore 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.

Bidders	Item	
	Estimated Quantity	Price
	3,000 gallons	
	Traffic Line Paint (White)	
	(in 5-gallon containers)	
	Per Gallon	
	\$	Cts.
W. P. Fuller & Co.		
Guarantee: certified #085992 check #025215 (11-16-1210) in amount of \$720.00.		2.05
General Paint Corporation		
Guarantee: check #9966 (11-16-1210) in amount of \$672.00.		2.24
National Lead Company		
Guarantee: certified #046315 check #6660 (11-8-1210) in amount of \$573.00.		1.91

Bidders	Item	Estimated	
	Quantity	Price	Cts.
	3,000 gallons Traffic Line Paint (White) (in 5-gallon containers)		
		Per Gallon	
		\$	
The T. H. Pitt Company	Guarantee: certified #086281 check #5012 (11-16-1210) in amount of \$855.00		2.85
Pittsburgh Plate Glass Company	Guarantee: certified #8414 check #585 (90-85-1211) in amount of \$804.00		2.68
Trussler Paint Company	Guarantee: cashier's check #FW 6636 (90-1531-1211) in amount of \$705.00		2.25

PLUS STATE SALES TAX

Bids
Traffic Line Paint

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.

Bids
Drake St.
Home St.-Fuller Ave.

Clerk reports receipt of two sealed proposals or bids for the improvement of Drake St., between the S. line of Home Street and the N. line of Fuller Avenue. Councilman Santora 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 Quantities	Items	Bidders	
		Leo F. Piazza Paving Co. Price	A. J. Raisch Paving Company Price
		\$ Cts.	\$ Cts.
22,609 sq.ft.	A.C. pavement, per sq.ft.	0.235	0.235
1,260 lin.ft.	P.C.C. curb & gutter, per lin.ft.	1.48	1.70
701 sq.ft.	P.C.C. sidewalk, per sq.ft.	0.31	0.30
48 lin.ft.	4" V.C.P. house sewer laterals, per lin.ft.	3.50	4.00
ESTIMATED TOTAL		\$7,633.22	\$7,937.42

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

Bids
Drake St.
Home St.-Fuller Ave.

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

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

Bids
5th, 6th Sts.,
Younger Ave.

Clerk reports receipt of two sealed proposals or bids for improvement of Fifth and Sixth Streets between the N. line of Rosa Street and their northerly termination thereon, also Younger Avenue between the center line of Fourth Street and a point 137.87' E. of the E. line of Sixth Street. Councilman Solari proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Foley 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 Quantities	Items	Leo F. Piazza Paving Co.		Bidders A. J. Raisch Paving Company	
		Price \$	Cts.	Price \$	Cts.
153,824 sq.ft.	A.C. pavement, per sq.ft.	0.185		0.154	
1,006 lin.ft.	P.C.C. curb, per lin.ft.	0.75		1.60	
7,665 sq.ft.	P.C.C. gutter, per sq.ft.	0.36		0.45	
5,020 sq.ft.	P.C.C. sidewalk, per sq.ft.	0.32		0.34	
55 lin.ft.	4" V.C.P. house sewer laterals, per lin.ft.	3.70		4.00	
1,045 sq.ft.	A.C. resurfacing existing, drive-way ramps, per sq.ft.	0.16		0.12	
ESTIMATED TOTAL		\$33,948.44		\$30,799.95	

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
5th, 6th Sts.,
Younger Ave.

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

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

Bids
Lincoln Ct.
Lincoln-Radio Aves.

Clerk reports receipt of two sealed proposals or bids for the improvement of Lincoln Court between the W. line of Lincoln Ave. and the E. line of Radio Ave. Councilman Watson proposes and moves adoption of resolution that said 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.

Estimated Quantities	Items	Bidders			
		James Griffiths		A.J. Raisch Paving Company	
		Price		Price	
		\$	Cts.	\$	Cts.
367 lin.ft.	curb & gutter (combined), per lin.ft.	2.00		1.96	
1,332 sq.ft.	sidewalk, per sq.ft.		0.44		0.45
ESTIMATED TOTAL		\$1,320.08		\$1,318.72	

Guarantee: James Griffiths - bid bond of United Pacific Insurance Co. in amount of \$2,000.00; A.J. Raisch Paving Company - bid bond of Pacific Indemnity Company in amount of 10% of bid.

Bids
Lincoln Ct.
Lincoln-Radio Aves.

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

Orchard No. 10
Annexation
Hearing Continued

This being the time and place fixed when and where any person owning real property in the uninhabited territory proposed to be annexed to the City of San Jose and designated Orchard No. 10, as continued from September 20, 1954, may appear and show cause why such territory should not be so annexed, Robert E. Cassin, City Attorney recommends and Councilman Moore proposes and moves adoption of resolution

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

Cambrian No. 2
Annexation
Hearing Closed

Councilman Watson proposes and moves adoption of resolution that the public hearing when and where any persons owning real property within the uninhabited territory proposed to be annexed to the City of San Jose and designated as Cambrian No. 2, may appear and show cause why such territory should not be so annexed, 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. 4500
Annexing
Cambrian No. 2

Ordinance No. 4500, entitled: "An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain Uninhabited Territory Designated 'Cambrian No. 2' And Herein Described, And Herein Annexing Said Territory To Said City Of San Jose", is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Moore, passed to print:

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

Hearing
House Moving

This being the time and place fixed by the City Engineer for hearing on proposed moving of one-story frame building located at the NE corner of Almaden Road and Koch Lane, to a lot on Curtner Avenue between #1022 and #1040, Elwood F. DeVilbiss advises that John W. Scanzizzo will withdraw his protest to said house moving, if it is guaranteed that said dwelling will be improved and repainted. E. A. Hardies advises that deed restrictions prevent moving of said dwelling to said lot on Curtner Avenue. Councilman Solari, Chairman of the Committee on Streets and Sewers, reports that said Committee recommends that permit be issued for said house moving provided assurance is given that said dwelling will be improved and painted within a limited period of time. William Emerson appears on behalf of Kelly Bros. Inc. House Movers, urging the issuance of permit for said house moving. General discussion is had with the City Attorney and others. Councilman Santora

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

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

House Moving
Permit

Councilman Solari proposes and moves adoption of resolution that protest to said moving of one-story frame building located at the NE corner of Almaden Road and Koch Lane to a lot on Curtner Avenue between #1022 and #1040, be denied, and permit to move said dwelling be issued, conditioned that applicant file a bond in the amount of \$500.00, as specified in Section 8505 of the San Jose Municipal Code, and that the improvements required, including landscaping, be completed within 60 days after said dwelling is placed on said lot between #1022 and #1040 Curtner Avenue, seconded by Councilman Santora, and adopted:

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

Member, Bd. Of Adm.
Fed. City Emp. Retire
System

Nominations are now declared in order for the office of Member, Board of Administration, Federated City Employees Retirement System, vice Mayor Starbird, resigned. Councilman Moore nominates Councilman Watson and nomination is seconded by Councilman Foley. No further nominations are heard, whereupon nominations are closed. Councilman Moore proposes and moves adoption of resolution that Councilman Watson be declared appointed as Member, Board of Administration, Federated City Employees Retirement System, seconded by Councilman Foley, and adopted:

Ayes: Councilmen - Foley, Moore, Santora,
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 - Hathaway.

Resignations

Mayor Starbird submits resignations as member of the Board of Administration of the Police and Fire Department Retirement Plan and as member of the Emergency Service Advisory Board. Councilman Watson proposes and moves adoption of resolution that said resignations be accepted, seconded by Councilman Foley, and adopted:

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

Member, Bd. Of Adm.
Pol. & Fire Retire.
Plan

Nominations are now declared in order for the office of Member,
Board of Administration, Police and Fire Department Retirement Plan, vice
Mayor Starbird, resigned. Councilman Foley nominates Councilman Solari,
and nomination is seconded by Councilman Santora. No further nominations
are heard, whereupon nominations are closed. Councilman Foley proposes
and moves adoption of resolution that Councilman Solari be declared
appointed as Member, Board of Administration, Police & Fire Dept. Retirement
Plan, seconded by Councilman Santora, and adopted:

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

Member, Eng. Service
Advisory Board

Nominations are now declared in order for the office of Member,
Emergency Service Advisory Board, vice Mayor Starbird, resigned. Coun-
cilman Foley nominates Councilman Moore, and nomination is seconded by
Councilman Santora. No further nominations are heard, whereupon nomina-
tions are closed. Councilman Foley proposes and moves adoption of res-
olution that Councilman Moore be declared appointed as Member, Emergency
Service Advisory Board, seconded by Councilman Santora and adopted:

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

City Of Alameda
& Oakland Airport
Expansion

Request of the City Manager of the City of Alameda, dated
September 24, 1954, that San Jose join in obtaining a public hearing by
the United States Army Corps of Engineers for the proposed dredging and
filling operations for expansion of the Oakland Airport which will
be an alleged jeopardy to the proposed Southern Crossing of the San
Francisco Bay, is presented. Councilman Watson proposes and moves adop-
tion of resolution that said request be referred to the City Manager
and the Airport Manager for consideration and report, seconded by Coun-
cilman Foley, and adopted:

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

Request For Annexation
Co. San. Dist #4

Request of County Sanitation District No. 4 for consent to the annexation to said District of Lots 7 to 12 inclusive of Block 7 as shown on Map of Sainsevain Villa recorded in Book 4 of Maps, Page 11, Records of Santa Clara County Recorder, and which is within three miles of the city limits of San Jose, is presented. Councilman Watson 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 Foley and adopted:

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

Track Across Newhall St.
S.P. Co.

Request of the Southern Pacific Company for a permit to construct and maintain an additional track across Newhall Street easterly of the present track for the purpose of providing additional yard track for better service to industries in said area, is read. Councilman Foley proposes and moves adoption of resolution that said request be referred to the City Engineer for investigation and report, seconded by Councilman Moore, and adopted:

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

Request For Consent
City Of Campbell
Annexation

Request from the City Attorney of the City of Campbell, for consent to the annexation to said City of approximately 15.05 acres located at Monroe Street and Downing Avenue and being within two miles of the San Jose city limits. Robert E. Cassin, City Attorney, reports on ambiguity of the California Government Code relative to such annexations, and recommends that said request be denied. Councilman Watson proposes and moves adoption of resolution that said request be referred to the Committee of the Whole for consideration and discussion with the City Attorney, seconded by Councilman Moore, and adopted:

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

Franchise Tax
S.J. City Lines, Inc.

Communication from the Public Utilities Commission, requesting information as to what action the City plans to take with reference to maintaining a franchise tax of 1% of gross receipts for the San Jose City Lines, Inc., as requested on September 20, 1954. Councilman Foley reports that said request is being considered by the Committee on Ordinance and Franchise; that a request has been made to San Jose City Lines, Inc. to outline its proposed extension of routes in new areas if the City will maintain said reduced franchise tax of 1% and that after said information has been received a report will be made to the Committee of the Whole on October 11, 1954. By unanimous consent said communication from the Public Utilities Commission is filed, to be answered after October 11, 1954.

Indecent, Immoral
& Obscene Comic
Publications

Communications and petitions from Beverly Barton, Director, and Vivian Gladding Chairman, Jaycettes Public Affairs Committee, Florence Aceves, Santa Clara County National Council of Catholic Women, Francis F. Heney, President, Santa Clara County Board, Ancient Order of Hibernians, Mrs. George D. Robertson, President, Sixth District, Parents & Teachers Association, Palo Alto Unified School District, Mrs. Peter W. Hansen, President, San Jose City Council of Parents & Teachers, Ruby C. Deranja, Secretary, Santa Clara County Motion Picture Council, Charles D. Gould, Father Walter E. Schmidt, S.J., Director, Santa Clara County Youth Center Inc., Rev. Edward D. Maginnis, S.J. Pastor, St. Clare's Church, Domenic Cirincione, Jr., Secretary, Council of Catholic Men and joint resolution of the Council of Catholic Men and the Council of Churches urging that legislation be enacted prohibiting the sale of indecent, immoral and obscene comic publications in San Jose, are presented and filed. Domenic Cirincione, Jr. and others appear in support of said communications, and general discussion is had. Councilman Solari proposes and moves adoption of resolution that the City Attorney be directed to prepare a proposed ordinance prohibiting the sale of indecent, immoral and obscene comic publications and submit to the Committee of the Whole 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.

Improve Subdivision
Prior To Filing
Final Map

Communication from the Sherman Oaks Development Co. requesting permission to make improvements in Sherman Oaks, Addition#2, Subdivision, prior to the approval of Final Map, all work to be done under supervision of the City Engineer, and agreeing to reimburse the city for engineering and inspection fees if said Final Map is not approved, is read. Councilman Watson proposes and moves adoption of resolution that said request be granted, seconded by Councilman Santora, and adopted:

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

Complaint Of Fee
Rubbish Collectors

Eugene L. Rendler, Attorney at Law, appearing on behalf of Terry & Don's Service, and Clark L. Bradley, Attorney at Law, protest the excessive fee provided for rubbish collectors in Ordinance No. 4481. Robert E. Cassin, City Attorney, reports that two proposed amendments to said ordinance will be presented to the Committee of the Whole at its meeting at 4:00 o'clock P.M. October 11, 1954.

Drainage
Cambrian No. 2

Jack C. Thompson, State Senator, inquires relative to future plans for drainage in Cambrian No. 2 annexation area, whereupon A. P. Hamann, City Manager, advises that Ross Creek could probably handle said drainage for some time, however, the future proposed plan is for relocation direct to Guadalupe Creek and ultimate plans will provide for underground channel.

State Highways
5 and 68
Cancel Taxes

Requests of B. W. Booker, Assistant State Highway Engineer, that 1954-55 taxes be cancelled for two parcels of land acquired for State Highway 5 and six parcels of land acquired for State Highway 68, are presented. Councilman Watson proposes and moves adoption of resolution that said requests be referred to the City Attorney 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.

Ordinance No. 4451
Rezoning
N. 1st & Rosemary Sts.

Ordinance No. 4491, entitled: "An Ordinance Amending The San Jose Municipal Code, By Adding A New Section Thereto To Be Numbered 9102.44z21, Rezoning The Southwest Corner Of North First And Rosemary Streets", passed to print September 27, 1954, is given final reading and upon motion of Councilman Santora, seconded by Councilman Watson, adopted:

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

Ordinance No. 4493
Appropriation
Fire Houses

Ordinance No. 4493, entitled: "An Ordinance Appropriating The Sum Of \$170,000 From The Unappropriated Surplus Of The 1952 Fire Protection Bond Fund To The Department Of Public Works For The Construction Of Fire Stations", passed to print September 27, 1954, is given final reading 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.

Ordinance No. 4494
Deficiency
Appropriations

Ordinance No. 4494, entitled: "An Ordinance Appropriating The Sum Of \$20,430 From The Unappropriated Surplus Of The General Fund To Various Department; Appropriating Sums Totaling \$903,367 From The Unappropriated Surplus Of Various Special Revenue Funds And Authorizing The Transfer Of \$903,367 Of Expenditures, Previously Charged To The General Fund, To Said Special Revenue Funds; And Making Such Appropriations And Transfers Applicable To The 1953-54 Fiscal Year And Retroactive In Effect To August 31, 1954", passed to print September 27, 1954, is given final reading and upon motion of Councilman Foley seconded by Councilman Santora, adopted:

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

Ordinance No. 4495
Fire House
3rd & Martha Sts.

Ordinance No. 4495, entitled: "An Ordinance Setting Forth The Terms And Provisions Of A Contract To Be Entered Into Between Donnell E. Jaekle, Architect, And The City Of San Jose, For The Drawing Of Plans And Specifications For A New Fire House To Be Located At The Corner Of Martha And Third Streets; Authorizing The Mayor And City Manager

To Execute Said Contract; And Appropriating The Sum Of \$2,500.00 For The Payment Of Services Herein Agreed To Be Performed By Architect From The 1952 Municipal Bond Series A", passed to print September 27, 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. 4496
Option To Purchase
(Boccardo Property)

Ordinance No. 4496, entitled: "An Ordinance Appropriating The Sum Of \$2,500.00 From The Unappropriated Surplus Of The General Fund To The City Manager For The Purpose Of Purchasing An Option Or Options To Real Property In Connection With The Off Street Parking Program; Providing For The Reimbursement Of Said General Fund From An Off Street Parking Revenue Bond Fund To Be Established; And Authorizing The City Manager To Make Payments For Said Purpose", passed to print September 27, 1954, is given final reading and upon motion of Councilman Solari, seconded by Councilman Foley, adopted:

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

Ordinance No. 4497
Agreement With
Arnold B. Jamison

Ordinance No. 4497, entitled: "An Ordinance Of The City Of San Jose Authorizing The Mayor And City Manager To Enter Into With Arnold B. Jamison An Agreement For The Appraisal Of Certain Property Within The City Of San Jose In Connection With The Widening Of McKee Road From 24th Street To Bayshore Highway; Appropriating The Sum Of \$1,173.67 From The Special Gas Tax Street Improvement Fund For The Payment Of Services Rendered Pursuant To Said Agreement; And Authorizing The City Manager To Pay For Said Services Rendered Pursuant To Said Agreement", passed to print September 27, 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. 4498
Appropriation
(Paradiso Property)

Ordinance No. 4498, entitled: "An Ordinance Appropriating Additional Sum Of \$343.74 From The Special Gas Tax Improvement Fund In Connection With The Purchase By The City Of San Jose Of Certain Real Property From Elge Paradiso And Juliette Paradiso, His Wife, For The Widening Of San Carlos Street", passed to print September 27, 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. 4499
Designating
Speed Limits

Ordinance No. 4499, entitled: "An Ordinance Of The City Of San Jose Establishing Certain Speed Limits Along Certain Streets Or Portions Thereof Below The Maximum Speed Limit Established By State Law", passed to print September 27, 1954, is given final reading and upon motion of Councilman Foley, seconded by Councilman Watson, adopted:

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

Resolution No. 10664
14th St.
Award

H. J. Flannery, City Engineer, reports that the bid of Leo F. Piazza Paving Co. is the lowest responsible bid for the improvement of portions of 14th Street from the center line of Mission Street to the center line of Taylor Street, also a portion of Taylor Street 12' east and west of 14th Street, at the prices named in its bid opened September 27, 1954, and recommends that said bid be accepted. Resolution No. 10664 awarding contract for the improvement of portions of 14th Street and Taylor Street to Leo F. Piazza Paving Co. is read 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.

Resolution No. 10665
20th St.
Award

H. J. Flannery, City Engineer, reports that the bid of Leo F. Piazza Paving Co. is the lowest responsible bid for 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,

at the prices named in its bid opened September 27, 1954, and recommends that said bid be accepted. Resolution No. 10665 awarding contract for the improvement of portions of 20th Street to Leo F. Piazza Paving Co. is read 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.

Resolution No. 10666
31st St.
Award

H. J. Flannery, City Engineer, reports that the bid of A. J. Raisch Paving Company is the lowest responsible bid for the improvement of portions of 31st Street between the S. line of Santa Clara Street and the N. property line of San Antonio Street, at the prices named in its bid opened September 27, 1954, and recommends that said bid be accepted. Resolution No. 10666 awarding contract for the improvement of portions of 31st Street to A. J. Raisch Paving Company, is read 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.

Award
House Moving
1027 Polhemus St.

As deferred from September 27, 1954, the Council now considers bids for moving of city-owned house and appurtenances located at 1027 Polhemus Street. The City Attorney advises that the low bid did not conform to the notice to bidders and recommends that contract be awarded to the next lowest responsible bidder. Councilman Santora proposes and moves adoption of resolution that bid of Kelley Bros., Inc., be declared the lowest responsible bid for moving of city-owned house and appurtenances located at 1027 Polhemus Street, that said bid be accepted contract awarded therefor, and all other bids be rejected, seconded by Councilman Solari, and adopted:

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

Proposed Changes
Routes Nos. 3 & 7
S.J. City Lines, Inc.

As referred on September 27, 1954, A. P. Hamann, City Manager, presents and files report on meeting held with the San Jose City Lines, Inc., on extension of its Routes Nos. 3 and 7, and submitting proposal

of said company that its Route 3 be amended to provide that the present trip south from Newhall Street, westerly on Tulip Drive and southeasterly on Peachtree and Redwood to Walnut Grove Avenue, be eliminated, as well as the route on Hedding Street easterly of Redwood and north on Monroe from Hedding to Walnut Grove Avenue; the line would be extended easterly from the corner of Monroe on Newhall and Gould in the city limits of Santa Clara, south on Bohannon and Talia and Los Padres Boulevard to Pruneridge Avenue, then easterly on Pruneridge Avenue -Hedding to Redwood, north on Redwood to Walnut Grove Avenue then east on Walnut Grove Avenue; and on Route 7, the loop on Curtner Avenue between Lansford, Shibley and Maxine Avenues would be eliminated; the line would then be extended southerly from the corner of Maxine and Lansford to Husted Avenue then easterly to Lincoln Avenue and northerly to Lincoln and Curtner Avenues where it would pick up the present route, with map showing all present existing bus lines, with map showing extended bus proposals of Routes Nos. 3 and 7, attached. Councilman Foley proposes and moves adoption of resolution that said proposal be referred to the City Planning Commission for consideration and report pursuant to Section 94 of the Charter, seconded by Councilman Santora, and adopted:

Ayes: Councilmen - Foley, Moore, Santora,
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 - Hathaway.

Proposed Rezoning
760-780-800
Willow St.

Report and recommendation of the City Planning Commission, pursuant to 9112.1(c) of the San Jose Municipal Code, that certain real property, being the southeasterly portions of property located at 760, 780 and 800 Willow Street, be rezoned from C-2 Commercial District to M-1 Manufacturing District, is presented. Councilman Foley proposes and moves adoption of resolution that pursuant to 9112.1 of the San Jose Municipal Code, 8:00 o'clock P.M., November 1, 1954, Council Chambers, City Hall, be fixed as time and place for the purpose of considering and discussing the said proposed rezoning, seconded by Councilman Solari, and adopted:

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

Proposed Rezoning
Park Ave. Opposite
Grand Ave.

Report and recommendation of the City Planning Commission, pursuant to 9112.1(c) of the San Jose Municipal Code, that certain real property located on the north side of Park Avenue opposite Grand Avenue, be not rezoned from R-3 Residence District to C-1 Commercial District, is presented. Councilman Moore proposes and moves adoption of resolution that pursuant to 9112.1 of the San Jose Municipal Code, 8:00 o'clock P.M., November 1, 1954, Council Chambers, City Hall, be fixed as time and place for the purpose of considering and discussing said proposed rezoning, seconded by Councilman Santora, and adopted:

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

Off-Street Parking
Facilities At
NE Park & Naglee Aves.

Resolution of the City Planning Commission, by authority of 9107.9, et seq. of the San Jose Municipal Code, granting permit to establish off-street parking facilities in an R-1 Residence District lying easterly of and adjoining a C-1 Commercial District at the NE corner of Park Avenue and Naglee Avenue, subject to the following conditions: 1) that the parking area shall be used for passenger vehicle parking only; there shall be no sales, dead storage, repair work, dismantling or servicing of any kind on said parking area; 2) said parking area shall be surfaced over the entire enclosed area with a concrete, asphaltic concrete, or other suitable surfacing approved by the Superintendent of Street, and shall be maintained free of all weeds, grass and dust; 3) no advertising signs or structure shall be permitted on, or used in conjunction with said parking area, but "free parking" designation signs may be erected in compliance with the provisions of the Code regulating signs; 4) that lighting facilities, if provided, shall be so arranged as to be reflected away from the residence district, so as to cause no annoying glare, with a map and description of said area attached thereto, is read. Councilman Moore proposes and moves adoption of resolution that said resolution and conditions be approved, seconded by Councilman Foley, and adopted:

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

Resolution No. 10667
Consent To Annexation
S W G No. 21

Resolution of the City Planning Commission, adopted September 28, 1954, recommending the proposed annexation of certain inhabited territory designated as South Willow Glen No. 21, pursuant to the Annexation Act of 1913, is read. Resolution No. 10667 consenting to the commencement of proceedings to annex certain inhabited territory designated South Willow Glen No. 21, is presented by the City Attorney, and upon motion of Councilman Moore, seconded by Councilman Watson, adopted:

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

Resolution No. 10668
Tentative Zoning
Maypark No. 4

Resolution of the City Planning Commission, adopted September 28, 1954, submitting Tentative Report on zoning uninhabited annexed area designated as Maypark No. 4, is presented. Resolution No. 10668 directing public hearing by the City Planning Commission on Tentative Report of zoning said annexed area and providing for notice of such hearing is read and upon motion of Councilman Santora, seconded by Councilman Foley, adopted:

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

Resolution No. 10669
Tentative Zoning
Burbank No. 4

Resolution of the City Planning Commission, adopted September 28, 1954, submitting Tentative Report on zoning uninhabited annexed area designated as Burbank No. 4, is presented. Resolution No. 10669 directing public hearing by the City Planning Commission on Tentative Report of zoning said annexed area and providing for notice of such hearing is read and upon motion of Councilman Foley, seconded by Councilman Santora, adopted:

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

Rear Yard Adjustment
NE Montgomery &
San Fernando Sts.

Resolution of the City Planning Commission, by authority of 9107.1 of the San Jose Municipal Code, granting elimination of required rear yard of 15' at the NE corner of S. Montgomery Street and W. San Fernando Street, in accordance with plot plan on file in the Department of Building, is presented. Councilman Santora proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Moore, and adopted:

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

Rear Yard Adjustment
1331 Lincoln Ave.

Resolution of the City Planning Commission, by authority of 9107.1 of the San Jose Municipal Code, granting elimination of required rear yard of 25' at 1331 Lincoln Avenue, in accordance with plot plan on file in the Department of Building, is presented. Councilman Santora proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Watson and adopted:

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

Rear Yard Adjustment
SE Lansford Ave.
& Koch Lane

Resolution of the City Planning Commission, by authority of 9107.1 of the San Jose Municipal Code, granting rear yard adjustment to 12 $\frac{1}{2}$ ' at the SE. corner of Lansford Avenue and Koch Lane, as shown on plot plan on file in the Department of Building, is presented. Councilman Moore proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Santora, and adopted:

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

Payments Due

Certificate of H. J. Flannery, City Engineer, approved by the City Manager, that there is due and payable to Donnell E. Jaekle, Architect, on contract for preparation of plans and specification for construction of Fire House, Engine Co. 4 at Minor and Auzerais Avenues, a partial payment of \$3,162.00, is read. Councilman Watson proposes and moves adoption of resolution that said payment be authorized, seconded by Councilman Foley, and adopted:

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

Resolution No. 10670
Storm Sewers
Alum Rock & Eastgate
Adopting Plans

H. J. Flannery, City Engineer, presents plans and specifications for the improvement of Alum Rock Avenue in the vicinity of Eastgate Avenue, by the construction of concrete storm water sewers and appurtenances, and states that the County and the State will participate in the cost of said improvement. Resolution No. 10670 adopting plans and specifications for the improvement of Alum Rock Avenue in the vicinity of Eastgate Avenue by construction of concrete storm water sewers and appurtenances, is read 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.

Pine Ave.
Improve

H. J. Flannery, City Engineer, presents plans and specifications for the improvement of portions of Pine Avenue between Lincoln Avenue and Bird Avenue, and recommends and Councilman Watson proposes and moves adoption of resolution that the City Engineer be directed to submit said plans and specifications for approval by the State Department of Public Works, seconded by Councilman Moore, and adopted:

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

Resolution No. 10671
Agreement With
S.J. Sanitation Service

Proposed form of agreement with the San Jose Sanitation Service, by the terms of which that certain contract entered into on the 25th of June, 1947 is to be cancelled and terminated, is summarized by the City Attorney. Resolution No. 10671 authorizing the execution of agreement with San Jose Sanitation Service, for cancellation and termination of contract for the collection and disposal of garbage, refuse and rubbish, is presented and upon motion of Councilman Solari, seconded by Councilman Foley, adopted:

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

Ordinance No. 4501
Garbage Contract
Taxes-Suspension
Emergency

Ordinance No. 4501, entitled: "An Emergency Ordinance Temporarily Suspending The Operation Of Section 5306.2 Of The San Jose Municipal Code Relating To The Imposition Of Taxes For The Collection, Transporting, And Disposing Of Garbage And Rubbish", is presented by the City Attorney and upon motion of Councilman Santora, seconded by Councilman Foley, adopted as an ordinance for the immediate preservation of the public peace, health and safety by a 5/7 vote of the Council:

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

Resolution No. 10672
Agreement With
George A. Kelly

Resolution No. 10672 setting forth provisions of contract to be entered into with George A. Kelly for services to be rendered in

connection with the acquisition by the City of certain property necessary for the widening of San Carlos Street, and authorizing execution of said contract, is presented by the City Attorney and upon motion of Councilman Solari, seconded by Councilman Santora, adopted:

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

Resolution No. 10673
Withdrawing
Maypark No. 4 From
Lighting District

Resolution No. 10673 withdrawing certain uninhabited annexed territory designated Maypark No. 4 from the Maypark Lighting District is presented by the City Attorney 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.

Resolution No. 10674
Withdrawing
Maypark No. 4 From
Fire District

Resolution No. 10674 withdrawing certain uninhabited annexed territory designated Maypark No. 4 from the Central Fire Protection District is presented by the 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.

Resolution No. 10675
Agreement With
Coverdale &
Colpitts

Resolution No. 10675 authorizing the execution of contract with Coverdale and Colpitts, Traffic Engineers, relative to preparation of report and estimate of the gross and net revenues to be derived from the operation of city-owned off-street parking lots, is presented by the City Attorney and upon motion of Councilman Foley, seconded by Councilman Watson, adopted:

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

Ordinance No. 4502
Options On Property
Off-Street Parking

Ordinance No. 4502, entitled: "An Ordinance Of The City Of San Jose Authorizing The Mayor And City Manager To Exercise Options For The Purchase By The City Of Certain Pieces Or Parcels Of Real Property For Off-Street Parking Purposes; Describing The Said Pieces Or Parcels Of Said Real Property, And Setting Forth The Terms And Conditions Of The Option", is presented by the City Attorney and upon motion of Coun-

cilman Watson, seconded by Councilman Moore, passed to print:

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

Services Of Counsel
Revenue Bond Sale

A. P. Hamann, City Manager, recommends and Councilman Santora proposes and moves adoption of resolution that the City Manager be authorized to negotiate for the services of expert legal counsel for preparation of the sale of off-street parking revenue bonds, seconded by Councilman Watson and adopted:

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

Prepare Plans
Traffic Signal
35th & Santa Clara Sts.

A. P. Hamann, City Manager, recommends and Councilman Santora proposes and moves adoption of resolution that the City Engineer be directed to prepare plans and specifications for the installation of traffic signals at 35th and Santa Clara Streets, seconded by Councilman Watson, and adopted:

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

Wreck Building
Minor & Auzerals Aves.

A. P. Hamann, City Manager, recommends and Councilman Santora proposes and moves adoption of resolution that the City Manager be authorized to cause the demolition of the city-owned building at the SW corner of Minor and Auzerals Avenue, site of new Fire House, seconded by Councilman Moore, and adopted:

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

Invite Bids
Fire Hose

A. P. Hamann, City Manager, recommends and Councilman Watson proposes and moves adoption of resolution that the City Manager be authorized to invite bids for furnishing 4000 feet of 2½" Fire Hose for the Fire Department, seconded by Councilman Santora, and adopted:

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

Lease
4th & St. John Sts.

A. P. Hamann, City Manager, recommends and Councilman Watson proposes and moves adoption of resolution that the City Manager be authorized to cause publication for the lease at public auction of the city-owned property at the NW corner of 4th and St. John Streets with minimum monthly rental of \$150.00, seconded by Councilman Santora, and adopted:

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

Meeting With
City Of Santa Clara

A. P. Hamann, City Manager, recommends and by unanimous consent, the City Manager is directed to arrange a joint meeting with the City Council of the City of Santa Clara to discuss relocation of DeLa Cruz Boulevard and other mutual problems.

Resolution No. 10676
O'Connor Dr.
Lighting
Ordering Plans

Resolution No. 10676 directing preparation of plans and specifications and a map showing proposed boundaries of district to be assessed for improvement by lighting, of portions of O'Connor Drive between the center line of Forest Street and the N. line of Stevens Creek Road, also a portion of Forest Street between the E. line of O'Connor Drive and the W. line of Tract No. 655, Maypark Homesites, is presented by the City Attorney 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.

Proclamations

Requests of 1) Ann Suydam, Teen-Age Program Director, Y.W.C.A. that October 10 to 16, 1954 be proclaimed as "National Y-Teen Roll Call Week"; 2) Maxine Smrekov, R.N. that October 11 to 16, 1954, be proclaimed as "National Nurse Week"; 3) that October 18 to 23, 1954 be proclaimed as "United Nations Week" and 4) Business and Professional Women's Club that October 10 to 16, 1954 be proclaimed as "Business Women's Week", are presented. Councilman Moore proposes and moves adoption of resolution that said requests be granted and the Mayor be authorized to so proclaim, seconded by Councilman Watson, and adopted:

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

Allowance For Expenses
League Of Calif.
Cities Conference

Councilman Watson proposes and moves adoption of resolution that the Councilmen, members of the City Planning Commission and members of the Civil Service Commission attending the 1954 Annual Conference of the League of California Cities in Los Angeles, October 18 through 20, 1954, be allowed expenses of \$200 each, and that the city officers or employees attending said conference be allowed necessary expenses, seconded by Councilman Moore and adopted:

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

Alcoholic Beverage
Control Act

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

Leave Of Absence
City Clerk

Francis L. Greiner, Assistant City Clerk requests, on behalf of Dorothy Covill, City Clerk, that she be allowed a leave of absence with pay from October 4 through October 8, 1954, due to the death of her husband. Councilman Santora proposes and moves adoption of resolution that said request be granted, seconded by Councilman Watson, and adopted:

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

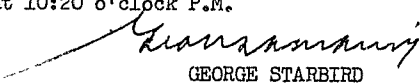
Adjourn In Memory
Julian P. Covill

Councilman Watson proposes and moves adoption of resolution that the Council adjourn out of respect to the memory of Julian P. Covill, deceased September 28, 1954, employed by the City of San Jose as Police Sergeant (Detective) and Police Officer since June 6, 1927, seconded by Councilman Santora, and adopted:

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

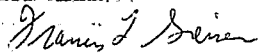
Adjourn

Council now adjourns at 10:20 o'clock P.M.


GEORGE STARBIRD
MAYOR

ATTEST:

DOROTHY COVILL
CITY CLERK

BY 
FRANCIS L. GREINER
DEPUTY

10-5-54

Monday

San Jose, California

October 11, 1954

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

Roll Call

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

Absent: Councilmen - Santora.

Invocation

Invocation is given by Mr. Earle Vaughan.

Minutes

Councilman Watson proposes and moves adoption of resolution 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, 26, 30, September 7, 13, 20, 27, and October 4, 1954, be deferred, seconded by Councilman Moore and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - Santora.

Bids

1st Aid Station
Carlisle &
Santa Teresa Sts.

Clerk reports receipt of twelve sealed proposals or bids for the construction of Emergency First Aid Station Building at Carlisle and Santa Teresa Streets. Councilman Watson proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Moore and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - Santora.

Bids

Clerk now opens said sealed proposals or bids.

Bidders	Item
	1st Aid Station Building Lump Sum Price
	\$ Cts.
Balliet Bros. Construction Corp. Guarantee: Bid bond of General Casualty Company of America in amount of 10% of bid.	63,400.00
Samuel E. Barth Guarantee: Bid bond of Saint Paul-Mercury Indemnity Company in amount of \$10,000.	54,737.00
George Bianchi Guarantee: Bid bond of Fire Association of Philadelphia in amount of 10% of bid.	55,990.00

Bidders	Item	Price	Cts.
Carlson Construction Co. Guarantee: Bid bond of Glen Falls Indemnity Company in amount of \$6,000.00.	1st Aid Station Building Lump Sum	\$ 56,381.00	
Earl W. Emley & Son Guarantee: Bid bond of American Automobile Insurance Co. in amount of 10% of bid.		55,070.00	
Robert A. Fletscher Guarantee: Bid bond of Globe Indemnity Company in amount of \$5,500.00.		54,937.00	
Hughes Construction Company Guarantee: Bid bond of The United Pacific Insurance Company in amount of \$7,500.00.		52,292.00	
L. W. Phillips, Jr. Guarantee: Bid bond of Peerless Casualty Company in amount of \$10,000.00.		54,845.00	
Romani Brothers Co-Partnership Guarantee: Bid bond of The United Pacific Insurance Company in amount of \$10,000.00.		55,792.00	
Lloyd C. Tolbertson Guarantee: Bid bond of The Connecticut Fire Insurance Company in amount of 10% of bid.		59,933.00 *	
Dominic Tomacchi Guarantee: Bid bond of Fireman's Fund Indemnity Company in amount of 10% of bid.		56,118.85	
Viking Contractors, Inc. Guarantee: Bid bond of Anchor Casualty Company in amount of 10% of bid.		55,850.00	

*Affidavit of non-collusion not executed.

Bids
1st Aid Station
Carlyle &
Santa Teresa 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 Moore and adopted:

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

Bids
The Alameda &
Polhemus-Naglee
MCS Project 138

Clerk reports receipt of two sealed proposals or bids for the improvement of The Alameda and Polhemus-Naglee, Major City Streets Project No. 138. Councilman Watson proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Moore and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Estimated Quantities	Items	Bidders	
		Leo F. Piazza Paving Co. Price \$ Cts.	A. J. Raisch Paving Company Price \$ Cts.
430 tons	Type "B" A.C. surface course in place, per ton	5.05	5.50
530 tons	A.C. base course in place, per ton	5.05	5.50
4 tons	Asphaltic Emulsion in place, per ton	46.68	35.00
3.5 tons	SC-1 liquid asphalt in place, per ton	44.34	35.00
1,775 cu.yd.	imported subbase material in place, per cu. yd.	5.38	4.50
2	storm water inlets (3' x 3') reset, each	99.63	100.00
3	storm water inlets (2' x 2') to be construc- ted, each	192.62	160.00
1	flushing inlet to be constructed, each	86.35	70.00
1	manhole cover and ring in place, each	212.50	170.00
3	manholes to be constructed, each	285.60	200.00
35 lin.ft.	8" plain concrete pipe in place, per lin. ft.	2.92	2.50
530 lin.ft.	12" reinforced concrete pipe in place, per lin.ft.	3.72	3.00
130 lin.ft.	5" vitrified clay pipe in place, per lin. ft.	2.52	2.00
265 lin.ft.	6" vitrified clay pipe in place, per lin. ft.	2.66	2.20
3,500 lin.ft.	P.C.C. curb to be constructed, per lin. ft.	1.95	0.90
7,000 sq.ft.	portland cement gutter to be constructed, per sq. ft.	0.98	0.45
6,700 sq.ft.	portland cement sidewalk in place per sq. ft.	0.73	0.32
1,350 sq.ft.	portland cement concrete driveway ramps, in place, per sq.ft.	0.98	0.46
1	Traffic Signal System in place, per lump sum	18,544.50	13,000.00
10,000 sq.ft.	P.C.C. base in place, per sq.ft.	0.52	0.27
400 lin.ft.	raised traffic bars, per lin.ft.	2.80	2.00
1,750 lin.ft.	Type B-3 curb (islands) including dowels & reinforcing bars in place, per lin. ft.	2.00	1.50

Estimated Quantities	Items	Leo F. Piazza Paving Co.		A. J. Raisch Paving Company	
		Price	Cts.	Price	Cts.
40 cu. yd.	sand filler (traffic islands) in place, per cu. yd. (uncompacted)		6.64		5.00
4,400 sq.ft.	portland cement concrete island surfacing in place, per sq. ft.		0.35		0.30
900 sq.ft.	removing traffic stripe, per sq.ft.		0.13		0.08
	Clearing and grubbing, including removal of sewer vents, per lump sum	3,667.70		3,600.00	
	TOTAL	\$73,632.28		\$50,952.50	

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 Co. in amount of 10% of bid.

Bids
The Alameda &
Polhemus-Naglee
MCS Project 138

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

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

Bids
Lincoln &
Minnesota Aves.
MCS Project 157

Clerk reports receipt of two sealed proposals or bids for improvement of Lincoln Avenue and Minnesota Avenue adjacent to Willow Glen School Major City Street Project No. 157. Councilman Watson proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Moore and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Estimated Quantities	Items	Bidders		Bidders	
		Leo F. Piazza Paving Co. Price	Cts.	A. J. Raisch Paving Company Price	Cts.
240 tons	Type "B" Asphalt Concrete surface course in place, per ton		4.48		5.10
50 tons	A.C. levelling course in place, per ton		4.48		6.00
380 tons	A.C. base course in place, per ton		4.48		4.80
2 tons	asphaltic emulsion in place, per ton		46.95		43.20

Estimated Quantities	Items	Leo F. Piazza Paving Co.		A. J. Raisch Paving Company	
		Price \$	Cts.	Price \$	Cts.
5 tons	SC-1 liquid asphalt in place, per ton	44.60		37.20	
1450 cu.yd.	imported base material in place, per cu. yd.	4.54		3.35	
2 each	storm water inlets reset, each	193.37		159.50	
0.5 tons	SC-6 liquid asphalt in place, per ton	47.55		73.20	
3 tons	$\frac{1}{2}$ inch x No. 4 screenings in place, per ton	6.81		9.60	
2 tons	$\frac{1}{4}$ inch x No. 10 screenings in place, per ton	7.08		10.50	
6	manholes to be reset, each	40.00		30.00	
16 lin.ft.	8" plain concrete pipe in place, per lin.ft.	3.11		2.75	
16 lin.ft.	12" reinforced concrete pipe in place, per lin.ft.	4.48		3.60	
1140 lin.ft.	P.C.C. curb to be constructed, per lin.ft.	1.54		1.10	
2280 sq.ft.	P.C.C. gutter to be constructed, per sq. ft.	0.92		0.44	
6250 sq.ft.	P.C.C. sidewalk, in place, per sq.ft.	0.83		0.34	
690 sq.ft.	P.C.C. driveway ramps in place, per sq. ft.	1.03		0.53	
	Clearing and grubbing, per lump sum	2,821.63		3,458.00	
	Removing and reinstalling San Jose Unified School District facilities, per lump sum	4,805.59		2,750.00	
	Total	\$28,090.34		\$20,120.80	

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

Bids
Lincoln &
Minnesota Aves.
MCS Project 157

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

Bids
8th St.
Rosa St. North

Clerk reports receipt of two sealed proposals or bids for improvement of a portion of 8th Street between the N. property line of

Rosa Street and its N. terminus thereon. Councilman Hathaway proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Watson and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Estimated Quantities	Items	Bidders			
		James Griffiths		A. J. Raisch Paving Company	
		Price		Price	
		\$	Cts.	\$	Cts.
474 lin.ft.	curb and gutter (combined), per lin.ft.		2.00		2.20
476 sq.ft.	gutter, per sq.ft.		0.65		0.60
2,067 sq.ft.	sidewalk, per sq.ft.		0.49		0.40
	Estimated Total	\$2,270.23		\$2,155.20	

Guarantee: James Griffiths - bid bond of The United Pacific Insurance Company in amount of \$500.00; A. J. Raisch Paving Company - bid bond of Pacific Indemnity Company in amount of 10% of bid.

Bids
 8th St.
 Rosa St. To
 Nly. Terminus

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

No Bids
 Pine Ave.
 Lincoln To Cottle Aves.

Clerk reports that no bids have been received for the improvement of portions of Pine Avenue between the W. line of Lincoln Avenue and the westerly city limits at Cottle Avenue.

Bids
 Roycott Way
 Lincoln-Newport Aves.

Clerk reports receipt of two sealed proposals or bids for the improvement of portions of Roycott Way between the center line of Lincoln Avenue and the center line of Newport Avenue. Councilman Hathaway proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Watson and adopted:

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

Bids

Clerk now opens said sealed proposals or bids.

Estimated Quantities	Items	Bidders	
		Leo F. Piazza Paving Co. Price	A. J. Raisch Paving Company Price
		\$ Cts.	\$ Cts.
25,458	sq.ft. asphaltic concrete surface pavement, per sq.ft.	0.075	0.083
	Estimated Total	\$1,909.35	\$2,113.01

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
Roycott Way
Lincoln-Newport Aves.

Councilman Hathaway proposes and moves adoption of resolution that said proposals or bids be referred to the City Engineer for consideration and report.

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

Resolution No. 10677
Curtner No. 1
Determining Protest

This being the time and place fixed by Resolution No. 10585, adopted August 30, 1954, when and where any person owning real property within the uninhabited territory proposed to be annexed to the City of San Jose and designated Curtner No. 1, may appear and show cause why such territory should not be so annexed, the Clerk advises that no protest to said annexation has been filed. No person is present desirous of filing protest. Robert E. Cassin, City Attorney, presents and files affidavit of Pearce Davies, Associate Planner, 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 of the parcels of real property within said territory as shown on the last equalized assessment roll, and certified photostatic copies of records of Roy P. Emerson, Tax Collector of Santa Clara County, listing the assessment numbers, owner's names and post office address, value of land and improvements of properties within said territory proposed to be annexed as shown on the last equalized assessment roll. City Clerk presents and files affidavit of Alice G. Wade of the publication in the San Jose News on September 13 and 20, 1954 of Resolution No. 10585; affidavit of John S. Baggerly of the publication in the Los Gatos

Daily Times on September 13 and 20, 1954 of Resolution No. 10585, and affidavit of the 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. Resolution No. 10677 finding and determining that protest to the proposed annexation of Curtner No. 1 has not been made by owners of a majority of the separate parcels of property in said territory, is presented by the City Attorney and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

Curtner No. 1
Annexation
Hearing Closed

Councilman Watson proposes and moves adoption of resolution that the public hearing when and where any persons owning real property within the uninhabited territory proposed to be annexed to the City of San Jose and designated as Curtner No. 1, may appear and show cause why such territory should not be so annexed, be closed, seconded by Councilman Moore, and adopted:

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

Ordinance No. 4503
Annexing
Curtner No. 1

Ordinance No. 4503, entitled: "An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain Uninhabited Territory Designated 'Curtner No. 1' And Herein Described, And Herein Annexing Said Territory To Said City Of San Jose", is presented by the City Attorney and upon motion of Councilman Watson, seconded by Councilman Hathaway, passed to print:

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

9th St. & Mission St.
Closing
Hearing Continued

This being the time and place fixed by Resolution No. 10633, adopted September 20, 1954, when and where any and all persons having any objections to the proposed closing of portions of N. Ninth Street from Taylor Street to the Southern Pacific Company right-of-way and Mission Street from Tenth Street to the Southern Pacific Company right-of-way, may appear and show cause, if any they have, why said streets

should not be abandoned and closed in accordance with said resolution, the City Clerk reports that no written protests to said proposed closing and abandoning of said streets have been filed. No person is present desirous of being heard. Councilman Watson proposes and moves adoption of resolution that said hearing be continued to 8:00 o'clock P.M., October 25, 1954, Council Chambers, City Hall, seconded by Councilman Moore, and adopted:

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

Convene As Canvassing
Board
Moreland No. 1

Councilman Watson proposes and moves adoption of resolution that the Council convene as a canvassing board for the purpose of canvassing the returns of the May Park-Moreland Annexation Election held on October 7, 1954, seconded by Councilman Moore, and adopted:

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

Canvass
Official Returns

Dorothy Covill, City Clerk, presents the official returns from the May Park-Moreland Annexation Election Precinct at the Special Annexation Election held on October 7, 1954, as the same were filed with her by the Precinct Board for said precinct, and advises that there were no absent voters ballots cast for said election. The Council now proceeds to canvass the official returns of said election in open session. Said canvass having been completed, Resolution No. 10678, entitled: "Resolution Of The Council Of The City Of San Jose Stating The Proposition Submitted To Electors Residing In Certain Inhabited Territory Designated As 'Moreland No. 1', At An Election Held In Said Territory On October 7, 1954; Stating The Total Number Of Votes Cast At Said Election And The Number Of Votes Cast For And Against Annexation Of Said Territory To The City Of San Jose; And Ordering That This Resolution Be Entered In The Minutes Of This Council", reading as follows:

"BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

"WHEREAS, the Council of the City of San Jose, at its present regular meeting duly held on the 11th day of October, 1954, has just completed canvassing the returns of a special election, together with all absentee ballots cast at said election, held on the 7th day of October, 1954, in

certain inhabited territory designated as 'Moreland No. 1', at which election there was submitted to electors residing in said designated territory the question and proposition hereinafter set forth;

"NOW THEREFORE, the Council of the City of San Jose does hereby find, determine, declare and state:

"1. That on the 7th day of October, 1954, at a special election duly held in certain inhabited territory designated as 'Moreland No. 1', there was submitted to the electors residing in said designated territory the following proposition and question: 'Shall Moreland No. 1 be annexed to the City of San Jose?'

"2. That the total number of votes cast by absentee ballots at the aforesaid election on the aforesaid proposition is none.

"3. That the total number of votes cast in the aforesaid election on the aforesaid proposition is twenty (20).

"4. That the total number of votes cast at the aforesaid election for and in favor of the annexation of said designated territory to the City of San Jose is sixteen (16).

"5. That the total number of votes cast at the aforesaid election against the annexation of said designated territory to the City of San Jose is four (4).

"6. That a majority of the votes cast at said election on the aforesaid proposition is for and in favor of the annexation of the aforesaid designated territory to the City of San Jose.

"And the Council of the City of San Jose does hereby direct and order that this resolution and its entire contents be entered upon and in and be a part of the minutes of this Council.", is

presented by the City Attorney, read in full, and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

Adjourn As
Canvassing Board

Councilman Watson proposes and moves adoption of resolution that the Council adjourn as a Canvassing Board to reconvene in regular session, seconded by Councilman Moore, and adopted:

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

Ordinance No. 4504
Annexing
Moreland No. 1

Ordinance No. 4504, entitled: "An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain Inhabited Territory Designated As 'Moreland No. 1' And Herein Described", is presented by the City Attorney and upon motion of Councilman Foley, seconded by Councilman Watson, passed to print:

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

Franchise
S.J. City Lines, Inc.

Communication from E. J. Diaz, Superintendent of Transportation, San Jose City Lines, Inc., expressing willingness to cooperate and to discuss mutual problems, is read. Councilman Moore proposes and moves adoption of resolution that the City Attorney be directed to prepare and submit, a proposed ordinance providing for franchise tax for the San Jose City Lines, Inc. of 1% of gross receipts, seconded by Councilman Hathaway and adopted:

Ayes: Councilmen - Foley, 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 - Santora.

Christmas Decorations

Request of the Merchants Association of San Jose that Christmas decorations be installed on downtown streets to be lighted by November 26, 1954, is presented. Councilman Moore proposes and moves adoption of resolution that said request be granted, seconded by Councilman Watson, and adopted:

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

Classification &
Title Changes
Certain Positions

Communication from the Civil Service Commission, dated September 30, 1954, setting forth additions, deletions and amendments to classifications and titles of certain positions, and requesting that they be confirmed and approved as previously requested on July 30, August 23 and September 7, 1954, is read. Councilman Watson proposes and moves adoption of resolution that said request be referred to the Committee on Finance for consideration and report, seconded by Councilman Moore, and adopted:

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

Encroachment
3rd & Keyes Sts.

Request of the Hawaiian Pineapple, Ltd. for a revocable permit to continue an existing encroachment on its property at 3rd and Keyes Street, as described therein and shown on map attached thereto, is read.

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

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

Indecent, Obscene
& Immoral Comic
Publications

Communication from Charles D. Guild transmitting copy of Oklahoma City ordinance governing indecent and immoral publications, is presented. Councilman Watson proposes and moves adoption of resolution, that said communication and ordinance be referred to the City Attorney for consideration with directive approved on October 4, 1954 for the preparation and submission to the Committee of the Whole of a proposed ordinance prohibiting the sale of indecent, obscene and immoral comic publications, seconded by Councilman Moore and adopted:

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

Crossing
S. P. Co. &
Newhall St.

Communication from Francis Heney requesting additional traffic protection at the Newhall Street crossing of the Southern Pacific Company railroad, is presented. Councilman Watson proposes and moves adoption of resolution that said communication be transmitted to the Southern Pacific Company for investigation, seconded by Councilman Moore, and adopted:

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

Eisenhower Roses
Presentation

Communication from Mrs. M. M. Rinear on, President, San Jose Council of Republican Women, extending invitation to attend presentation of a bed of Eisenhower Roses at the Municipal Rose Garden on President Eisenhower's birthday, October 14, 1954, is presented and filed.

Veterans Day
"Karen Sharpe Day"

Invitation from the United Veterans Council that a member of the Council act as judge for the Veterans Day parade, November 11, 1954, and requesting that November 11, 1954 be proclaimed "Karen Sharpe Day", 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 - Foley, Hathaway, Moore, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Santora.

American Municipal
Assn. Congress
Philadelphia

Communication from Wm. E. Kemp, President, American Municipal Association, advising of the 31st American Municipal Congress to be held from November 28, 1954 through December 1, 1954, in Philadelphia, and telegram from Dwight D. Eisenhower, President of the United States, advising of Conference of Mayors with members of the Cabinet and heads of Federal Agencies to be held on December 2 and 3, 1954, in Washington, D.C. are presented. Councilman Watson proposes and moves adoption of resolution that the Mayor, Councilmen Moore, Solari and Watson be authorized to attend said American Municipal Congress, seconded by Councilman Moore and adopted:

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

Conference of Mayors
Washington, D.C.

Councilman Watson proposes and moves adoption of resolution that the Mayor be authorized to attend the Conference of Mayors with members of the Cabinet and heads of Federal Agencies to be held on December 2 and 3, 1954, in Washington, D.C., seconded by Councilman Moore, and adopted:

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

Proclamation
Red Feather Week

Mayor Starbird presents request of the Community Welfare Council that October 18 through 23, 1954 be proclaimed "Red Feather Week", in San Jose, Councilman Hathaway proposes and moves adoption of resolution that said request be granted and the Mayor be authorized to so proclaim, seconded by Councilman Foley, and adopted:

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

Complaint
Emg. 1st Aid
Station

Complaint of Anne Barulich relative to treatment received by David Martin at the Emergency First Aid Station, is presented. Councilman Hathaway proposes and moves adoption of resolution that said complaint be referred to the Emergency Services Advisory Board for inves-

tigation, seconded by Councilman Moore, and adopted:

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

Rubbish Collector
Fees

At the Mayor's call for oral petitions, Clark L. Bradley,
Attorney at Law, appearing on behalf of three rubbish collectors in San
Jose, requests amendment to Ordinance No. 4481 (Garbage Ordinance)
to reduce license fee and gross receipt tax now imposed by said ordinan-
ce. Councilman Hathaway suggests that the Council meet at 4:00 o'clock
P.M., October 15, 1954, Council Chambers, City Hall to consider and
discuss garbage and rubbish collection.

Ordinance No. 4500
Annexing
Cambrian No. 2

Ordinance No. 4500, entitled: "An Ordinance Of The City Of
San Jose Approving The Annexation To The City Of San Jose Of Certain Un-
inhabited Territory Designated 'Cambrian No. 2' And Herein Described,
And Herein Annexing Said Territory To Said City Of San Jose", passed
to print October 4, 1954, is given final reading and upon motion of
Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Ordinance No. 4502
Options On Property
Off-Street Parking

Ordinance No. 4502, entitled: "An Ordinance Of The City Of
San Jose Authorizing The Mayor And City Manager To Exercise Options
For The Purchase By The City Of Certain Pieces Or Parcels Of Real Prop-
erty For Off-Street Parking Purposes; Describing The Said Pieces Or
Parcels Of Said Real Property, And Setting Forth The Terms And Conditions
Of The Option", passed to print October 4, 1954, is given final read-
ing and upon motion of Councilman Watson, seconded by Councilman Foley,
adopted:

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

Traffic Line Paint
Award

A. P. Hamann, City Manager, recommends and Councilman Watson
proposes and moves adoption of resolution that the bid of National Lead
Company, at the prices named in its bid opened October 4, 1954, is the
lowest responsible bid; that said bid be accepted and contract be awar-
ded for furnishing said paint, and all other bids be rejected, seconded

by Councilman Hathaway and adopted:

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

Resolution No. 10679
Drake St.
Award

H. J. Flannery, City Engineer, reports that the bid of Leo F. Piazza Paving Company is the lowest responsible bid for the improvement of Drake Street between Home Street and Fuller Avenue, at the prices named in its bid opened October 4, 1954, and recommends that said bid be accepted. Resolution No. 10679 awarding contract for said improvement of Drake Street to Leo F. Piazza Paving Co., is presented and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Resolution No. 10680
5th-6th & Younger
Award

H. J. Flannery, City Engineer, reports that the bid of A. J. Raisch Paving Company is the lowest responsible bid for the improvement of 5th Street, and 6th Street between the N. line of Rosa Street and their northerly termination thereon, also a portion of Younger Avenue, at the prices named in its bid opened October 4, 1954, and recommends that said bid be accepted. Resolution No. 10680 awarding contract for said improvement of 5th Street, 6th Street and Younger Avenue, to A. J. Raisch Paving Company, is read and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Resolution No. 10681
Lincoln Ct.
Award

H. J. Flannery, City Engineer, reports that the bid of A. J. Raisch Paving Company is the lowest responsible bid for the improvement of Lincoln Court between Lincoln Avenue and Radio Avenue, at the prices named in its bid opened October 4, 1954, and recommends that said bid be accepted. Resolution No. 10681 awarding contract for said improvement of Lincoln Court to A. J. Raisch Paving Company, is read and upon motion of Councilman Hathaway, seconded by Councilman Watson, adopted:

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

Committee On Finance
Meeting

Councilman Hathaway announces that there will be a meeting of the Committee on Finance at noon, October 15, 1954, Hotel Sainte Claire.

Resolution No. 10682
Oakland-Berryessa
28th-St. James
Sewers
Adopting Plans

H. J. Flannery, City Engineer, presents plans and specifications for the improvement of Oakland-Berryessa and 28th-St. James by the construction of concrete storm water sewers and appurtenances. Resolution No. 10682 adopting said plans and specifications, is read and upon motion of Councilman Hathaway, seconded by Councilman Watson, adopted:

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

Proposed Ordinance
Crime Comic Books

Proposed Ordinance, entitled: "An Ordinance Prohibiting The Sale To Children Under The Age Of Eighteen Years Of Any Book Or Magazine, Or Other Publication, In Which There Is Prominently Featured An Account Of Crime, And Which Depicts By The Use Of Drawings Or Photographs The Commission Or Attempted Commission Of Certain Crimes Of Force, Violence, Or Bloodshed", is presented by the City Attorney. Councilman Watson proposes and moves adoption of resolution that said proposed ordinance be referred to the Committee of the Whole for consideration seconded by Councilman Foley and adopted:

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

Resolution No. 10683
Allowances
League of Calif.
Cities Conference

Resolution No. 10683, entitled: "A Resolution Authorizing Payment Of Expenses Necessarily Incurred By Certain Officers And Employees Of The City Of San Jose In Connection With Their Attendance At The Annual Conference Of The League Of California Cities", is presented by the City Attorney and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Resolution No. 10684
Approving Agreement
Route 5

Resolution No. 10684 authorizing the execution of that certain Freeway Agreement relative to Route 5 without additions or amendments, is presented by the City Attorney and upon motion of Councilman Hathaway, seconded by Councilman Foley, adopted:

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

Resolution No. 10685
Studies
Route 5

Resolution No. 10685 requesting the State of California, Division of Highways and the California Highway Commission to make additional studies relative to certain features of the Route 5 Freeway as the same affects the City of San Jose, is presented by the City Attorney and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Lease Concessions
Municipal Auditorium

Notice Of Lease at public auction to the highest responsible bidder at the highest monthly rental of the soft drink, food and confectionery concession in the Municipal Auditorium for a period of two years beginning January 1, 1955, is presented by the City Attorney. Councilman Watson proposes and moves adoption of resolution that the City Manager be authorized to cause publication of said Notice of Lease, seconded by Councilman Moore, and adopted:

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

Resolution No. 10686
C.W.G. Assn.
Agreement

Resolution No. 10686 authorizing execution of Marketing Agreement with the California Walnut Growers Association, et al, for the marketing of crop from city-owned and/or leased walnut orchard located at Senter Road and Keyes Street (Kelley Property) is presented by the City Attorney and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Resolution No. 10687
Emg. 1st Aid Station
Award

A. P. Hamann, City Manager, advises that the bid of Hughes Construction Company for construction of the Emergency First Aid Station at Santa Teresa and Carlisle Streets, at the prices named in its bid opened October 11, 1954 is the lowest responsible bid and recommends that said bid be accepted. Resolution No. 10687 awarding contract to Hughes Construction Company for the construction of the Emergency First Aid Station at the NE. corner of Santa Teresa and Carlisle Streets, is read and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Invite Bids
Street Cleaning
Materials

A. P. Hamann, City Manager, recommends and Councilman Hathaway proposes and moves adoption of resolution that the City Manager be authorized to invite bids for furnishing steel gutter broom wire, palmyra and hickory broom straw for the Department of Public Works, seconded by Councilman Watson, and adopted:

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

Lease-Purchase
Data
City Hall

A. P. Hamann, City Manager, recommends and Councilman Hathaway proposes and moves adoption of resolution that the City Manager be authorized to furnish data and information on proposed lease-purchase proposal for construction of a City Hall Building at 1st and Rosa Streets to any and all interested persons, seconded by Councilman Moore, and adopted:

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

Proposed Lease
Portion Of
Vermont St.

A. P. Hamann, City Manager, recommends and Councilman Hathaway proposes and moves adoption of resolution that consideration of the feasibility of leasing to Mutual Grocery Company, the city-owned land on the W. side of Stockton Avenue running westerly to the Southern Pacific Company railroad at Vermont Street, be referred to the City Attorney, seconded by Councilman Foley, and adopted:

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

Crandall St.
No Parking Area

A. P. Hamann, City Manager, presents and files report of the Traffic Analyst, as referred on September 13, 1954, and recommending that the proposal to prohibit parking on one side of Crandall Street, be denied, and that parking be prohibited for a space of 20' on the N. side of Crandall Street W. of the W. line of Montgomery Street. Councilman Hathaway proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Solari, and adopted:

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

Ordinance No. 4505
Appropriations

Ordinance No. 4505, entitled: "An Ordinance Appropriating The Sum Of \$51,770 From The Unappropriated Surplus Of The General Fund To Various Departments And Purposes; Appropriating The Sum Of \$9,500 From The Unappropriated Surplus Of The General Fund For Civil Defense Equipment; And Appropriating \$9,999.50 From The Surplus Cash Reserve Of The General Fund For Expenses In Connection With An Off-Street Parking Program", is presented by the City Manager and upon motion of Councilman Hathaway, seconded by Councilman Moore, passed to print:

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

Glen Eyrie Ave.
Parking

A. P. Hamann, City Manager, presents and files report of the Traffic Analyst, as referred on September 27, 1954, that parking on the N. side of Glen Eyrie Avenue for a space of 120' W. of Lincoln Avenue and on the S. side of Glen Eyrie Avenue for a space of 13' W. of Lincoln Avenue, be prohibited. Councilman Hathaway proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Watson, and adopted:

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

Red Feather Sign
Community Chest

A. P. Hamann, City Manager, recommends and Councilman Moore proposes and moves adoption of resolution that the Red Feather sign for

the Community Chest campaign be erected over Roos Bros. Store at 1st and Santa Clara Streets, seconded by Councilman Watson and adopted:

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

Brown & Caldwell
Agreement
Supplement

A. P. Hamann, City Manager, recommends and Councilman Hathaway proposes and moves adoption of resolution that the City Attorney be directed to prepare and submit a proposed ordinance which would supplement agreement heretofore entered into with Brown and Caldwell, Civil and Chemical Engineers, to provide plans for construction of a Chlorination Building, not to exceed \$2500.00, seconded by Councilman Foley, and adopted:

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

Ordinance No. 4506
Off-Street Parking
Creating Fund To
Purchase Property

Ordinance No. 4506, entitled: "An Ordinance Of The City Of San Jose Creating The Off-Street Parking Revenue Bond Fund; Appropriating The Sum Of Five Hundred Seventy-One Thousand Four Hundred Sixty Dollars (\$571,460.00) From The Unappropriated Surplus Of The Off-Street Parking Revenue Bond Fund To The City Manager For The Purpose Of Purchasing Certain Property For Off-Street Parking Purposes And Authorizing The City Manager To Expend The Fund Appropriated For Said Purpose", is presented by the City Attorney and upon motion of Councilman Watson, seconded by Councilman Moore, passed to print:

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

Ordinance No. 4507
Burbank No. 4
Street Numbers

Ordinance No. 4507, entitled: "An Ordinance Amending The San Jose Municipal Code By Adding A New Section To Be Numbered 3730 Approving And Adopting A Supplementary Official Street Number Map For Burbank No. 4 Annexed To The City Of San Jose On September 10, 1954", is presented by the City Attorney and upon motion of Councilman Watson, seconded by Councilman Hathaway, passed to print:

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

Resolution No. 10688
Route 69 & Gish Rd.
Dedication Of
Portion

Resolution No. 10688, accepting the dedication and relinquishment of a portion of a State Highway lying westerly of Route 69 and Gish Road, and determining that the same shall be designated and named Gish

Road, is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

Resolution No. 10689
Minnesota Bridge
Extension Of Time

Recommendation of the City Engineer that Carl N. Swenson Co. Inc., be allowed an additional 30 days time in which to complete contract for the construction of the Minnesota Avenue Bridge across Lewis Canal, is presented. Resolution No. 10689 extending time in which to complete contract for construction of Minnesota Avenue Bridge, is read and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

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

Payment Due

Certificate of H. J. Flannery, City Engineer, approved by the City Manager, that there is due and payable to H. H. Anderson, Contractor, on contract for the construction of the Rosa-Hedding Street Bridge, a partial payment of \$14,261.22, is read. Councilman Foley proposes and moves adoption of resolution that said payment be authorized, seconded by Councilman Watson, and adopted:

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

Resolution No. 10690
Luppino Property
Moving Structures

Resolution No. 10690 adopting plans and specifications for the moving of structures from the Luppino Property at 14th and Taylor Streets, is presented and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

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

Alcoholic Beverage
Control Act

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

Urging Legislation
Comic Publications

Communications from Santa Clara County Presidents' Council of the Catholic Parent Teacher Groups, S. J. Costanza, Rev. John S. Duryea,

Mrs. E. M. Donatelli, Mary Lyddons and Lester Grube, urging enactment of legislation to prohibit the sale of indecent, immoral and obscene comic publications. are presented and filed.

Appreciation

Communication from William F. Osmond expressing appreciation for friendly, helpful attitude of merchants and others in San Jose, upon establishment of his home at 14580 Pepper Tree Lane, is presented and filed.

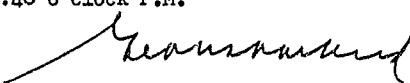
Adjourn

Councilman Watson proposes and moves adoption of resolution that the Council adjourn to meet again at 4:00 o'clock P.M., October 15, 1954, Council Chambers, City Hall, seconded by Councilman Moore, and adopted:


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

Adjourn

Council now adjourns at 9:46 o'clock P.M.


GEORGE STARBIRD
MAYOR

ATTEST:


DOROTHY COVILL
CITY CLERK

Friday

San Jose, California

October 15, 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 Watson proposes and moves adoption of resolution 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, 26, 30, September 7, 13, 20, 27, October 4 and 11, 1954, be deferred, seconded by Councilman Hathaway and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - Foley.

Operate & Park Car
Am. Auto Supply

Application of the American Auto Supply for a permit to operate and park, on the city streets, a 1954 Ford Thunderbird sports car from present date to April 30, 1955, in connection with a public drawing for which no solicitations will be made, is presented. Councilman Moore proposes and moves adoption of resolution that consideration of said application be deferred to October 25, 1954, and a representative of said American Auto Supply be requested to be present, seconded by Councilman Solari, and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - Foley.

Cherryhurst No. 1
Annexation
Petition

Petition of A. N. Lantz and Mabel B. Lantz, requesting, that pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, certain uninhabited territory designated Cherryhurst No. 1, as described therein be annexed to the City of San Jose, is presented. Robert E. Jassin, City Attorney, recommends and Councilman Hathaway proposes and moves adoption of resolution that said petition be referred to the City Planning Department for checking of sufficiency and report on October 25, 1954, seconded by Councilman Solari, and adopted:

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

Resolution No. 10691
Foxworthy No. 1
Annexation

Petition of Albert J. Azevedo and Evelyn F. Azevedo, requesting

that pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, certain uninhabited territory designated Foxworthy No. 1, as described therein, be annexed to the City of San Jose, is presented. Robert E. Cassin, City Attorney, presents and files affidavit of Irving L. Ryder, Civil Engineer, that the map attached thereto truly shows the boundaries of the territory proposed to be annexed, and that said territory is contiguous to the City Limits of San Jose and contains 29.067 acres; affidavit of Pearce Davies, Associate Planner, stating that an examination of the records of the County Registrar of Voters indicates that there are 8 registered electors residing within said territory and affidavit of Pearce Davies, Associate Planner, 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 of the parcels of real property within said territory as shown on the last equalized assessment roll. Pearce Davies, Associate Planner, is sworn and testifies that he was present at the meeting of the County Boundary Commission on October 11, 1954 and presents and files copy of communication from the County Boundary Commission to Renato Simoni stating that on October 11, 1954 it approved the definiteness and certainty of the boundaries of Foxworthy No. 1. Resolution No. 10691 giving notice of proposed annexation to the City of San Jose of certain uninhabited territory described and designated as Foxworthy No. 1 and giving notice of the time and place for hearing protests thereto, is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Solari, adopted:

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

Strawberry Manor
Prepare Plans
Prior to Final Map

Request of Jules Duc, Jr., that the City Engineer be authorized to prepare plans and specifications for the improvement of Strawberry

Manor subdivision, located on Moorpark Avenue, prior to approval of Final Map of said Subdivision, and agreeing to defray the cost and expenses of preparing said plans and specifications if said Final Map is not approved, is read. Councilman Hathaway proposes and moves adoption of resolution that said request be granted, seconded by Councilman Solari, and adopted:

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

Change Classification
Title

Communication from the Civil Service Commission requesting that the classification title of Chief Milk and Dairy Inspector (410) be changed to Senior Milk and Dairy Inspector (410), is presented. Councilman Watson proposes and moves adoption of resolution that said request be referred to the Committee of Finance for consideration and report, seconded by Councilman Santora, and adopted:

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

County Meetings
Garbage Disposal

Notification from W. Elwyn Turner, M.D., Director of Public Health, Santa Clara County, of meetings to be held relative to Garbage and Refuse Disposal and inviting a representative from the city to attend said meetings, is read. Councilman Hathaway proposes and moves adoption of resolution that T. J. McGowan, Health Engineer, be designated to attend said meetings on October 14, 20 and 27, 1954, at the County Health Department, seconded by Councilman Solari, and adopted:

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

Referendum
Ordinance No. 4481
(Garbage Etc.)

Affidavit of James W. Vasquez and Terry Rose, requesting that referendum be invoked against Ordinance No. 4481 (Garbage) and that petition be issued, is presented and by unanimous consent said affidavit is filed.

Annual Audit Of
Accounts
Findings

Findings of Logan & Frazer, Certified Public Accountants, on annual audit of accounts for the fiscal year ending August 31, 1954, are presented. Councilman Hathaway proposes and moves adoption of resolution that consideration of said report be deferred to October 25, 1954, seconded by Councilman Santora, and adopted:

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

Access To
7th & Commercial Sts.

Communication from Mundell Paper Company and others, relative to

the need of more adequate streets to provide access to business and manufacturing facilities adjacent to 7th Street and Commercial Street, etc, is presented. J. M. Mundell appears in support of said communication. Councilman Foley now enters and is seated. General Discussion is had with the City Engineer and others. Councilman Hathaway proposes and moves adoption of resolution that said communication be referred to the City Engineer for investigation and report, seconded by Councilman Solari, and adopted:

Councilman Foley
Enters

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

Ordinance No. 4508
Rubbish Collection
Fees Etc.

As deferred from October 11, 1954, the Council now considers

requests for the reduction of fees for rubbish collection etc. provided in Ordinance No. 4481 (Garbage Ordinance), effective October 20, 1954.

General discussion is had with Clark L. Bradley, Attorney at Law, Charles Munger, Alex Bache, Paul Madsen, the City Attorney and the Assistant City Attorney. Ordinance No. 4508, entitled: "An Ordinance Of The City Of San Jose Amending Chapter 3 Of Article V Of The San Jose Municipal Code, Relating To The Accumulation, Transportation And Disposal Of Waste Matter, By Amending Section 5305.4 Relating To The Rubbish Collector's Tax", is presented by the City Attorney and upon motion of Councilman Santora, seconded by Councilman Moore, passed to print:

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

Rear Yard Adjustment
1511 Hillsdale Ave.

Resolution of the City Planning Commission, by authority of

9107.1 of the San Jose Municipal Code, granting rear yard adjustment to 18.9' at 1511 Hillsdale Avenue, as shown on plot plan on file in the Department of Building, is read. Councilman Santora proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Foley, and adopted: