

COUNCIL MINUTES

54

NOV. 7, 1955 TO NOV. 21, 1955

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rating for the salary of the position of Senior Accountant (154) be abolished. Councilman Watson proposes and moves adoption of resolution that said matter be referred to the Committee on Finance for consideration and report, seconded by Councilman Foley and adopted:

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

Final Report  
Zoning Uninhabited  
Curtner No. 2

Mayor Starbird reports that the Committee of the Whole recommends that Final Report of the City Planning Commission on zoning uninhabited annexed area designated Curtner No. 2 be filed. Councilman Watson proposes and moves adoption of resolution that said recommendation be accepted, seconded by Councilman Santora and adopted:

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

1708 ne Alameda  
Proposed Rezoning  
And Leasing

Mayor Starbird reports that the Committee of the Whole recommends that proposal to rezone and lease city-owned property at 1708 The Alameda be rejected and that said property be rented on a month-to-month basis. Councilman Watson proposes and moves adoption of resolution that said recommendation be accepted, seconded by Councilman Hathaway and adopted:

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

Committee Of The  
Whole Meetings

Mayor Starbird reports that the Committee of the Whole recommends that Committee of the Whole meetings be not held during Council meetings as a regular policy, but only when necessary. Councilman Watson proposes and moves adoption of resolution that said recommendation be accepted, seconded by Councilman Santora and adopted:

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

Box Seats At  
Municipal Baseball  
Stadium

Mayor Starbird reports that the Committee of the Whole recommends that proposal to install box seats at Municipal Baseball Stadium be referred to City Planning Commission, for report as soon as possible. Councilman Moore proposes and moves adoption of resolution that said recommendation

be accepted and that said proposal be referred to the City Planning Commission, pursuant to Section 94 of the Charter, seconded by Councilman Santora and adopted:

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

Issuing Bonds On  
Unpaid Assessments

Mayor Starbird reports that the Committee of the Whole recommends that procedures used in issuing public improvement bonds to contractors upon unpaid assessments be not changed since it has been determined that public improvement bonds have been issued upon all assessment projects which have been completed by the contractors. Councilman Solari proposes and moves adoption of resolution that said recommendation be accepted, seconded by Councilman Watson and adopted:

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

Certified  
Public Accountant  
Annual Audit

Mayor Starbird reports that the Committee of the Whole recommends that since Logan & Frazer appears to be the only Certified Public Accountant firm interested in performing auditing services for the City, retention of other auditing firms be not considered at this time. Councilman Hathaway proposes and moves adoption of resolution that said recommendation be accepted, seconded by Councilman Solari and adopted:

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

USAF Recruiting  
Signs In Parks

Mayor Starbird reports that the Committee of the Whole recommends acceptance of the City Planning Commission recommendation, pursuant to Section 94 of the Charter, that U. S. Air Force Recruiting be not permitted to erect sign either at 1st and Market Streets or 1st and 2nd Streets and that U. S. Air Force Recruiting be so advised. Councilman Watson proposes and moves adoption of resolution that said recommendation be accepted, seconded by Councilman Santora and adopted:

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

Proposed Purchase  
1195 Camino Ramon

Mayor Starbird reports that the Committee of the Whole recommends that the City Manager be authorized to continue negotiations for purchase of 1195 Camino Ramon for purpose of extension of Britton Avenue along south line of Willow Street Park. Councilman Solari proposes and moves adoption of resolution that said recommendation be accepted, seconded by Councilman Moore and adopted:

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

Hale's  
Street Improvements

Mayor Starbird reports that the Committee of the Whole recommends that the City Manager be authorized to continue negotiations with Hale's for participation by said company in the cost of proposed improvements of San Carlos and Race Streets, Auzeais Avenue and Meridian Road, in addition to said company dedicating land along the perimeter of its property for street purposes. Councilman Hathaway proposes and moves adoption of resolution that said recommendation be accepted, seconded by Councilman Santora and adopted:

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

Moorpark Park  
Additional Land

Mayor Starbird reports that the Committee of the Whole recommends that the City Manager report on November 14, 1955, on the availability of approximately 4 acres of land on the east side of the proposed Moorpark Park to facilitate the development of said area. Councilman Hathaway proposes and moves adoption of resolution that said recommendation be accepted, seconded by Councilman Watson and adopted:

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

8th St.,  
San Antonio-San Carlos  
Closing

Mayor Starbird reports that the Committee of the Whole recommends, and Councilman Solari proposes and moves adoption of resolution that the City Attorney be authorized to initiate proceedings for the closing and abandonment of a portion of 8th Street between the southeast side of San Antonio Street and a line thirty-three feet northwesterly of the northwest line of San Carlos Street and the deeding of said property to the

State of California and that the City Manager be authorized to inform the Secretary of State of the State of California, if and when said street closing and abandonment proceedings are completed, that said street closing is conditioned upon the dedication by the State of California of thirty-three feet of its property along the northwest line of San Carlos Street to the City without cost, in the event that such dedication is needed for street widening purposes, seconded by Councilman Hathaway and adopted:

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

Proposed Health  
Insurance Plan  
City Employees

Mayor Starbird reports that the Committee of the Whole recommends and Councilman Watson proposes and moves adoption of resolution that the feasibility of the appointment of a broker of record in connection with the proposed health insurance plan for city employees be referred to the Committee on Finance 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.

Family Camp Site  
Lake Tahoe

Mayor Starbird reports that the Committee of the Whole recommends and Councilman Hathaway proposes and moves adoption of resolution that the proposal to establish a Family Camp Site in the vicinity of Lake Tahoe be referred to the City Planning Commission, pursuant to Section 94 of the Charter, the City Manager and the Recreation Commission for consideration and for submission to the City Council by December 12, 1955, of a proposed plan of development for said site, seconded by Councilman Solari and adopted:

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

Resolution No. 11703  
Withdrawing  
Winchester No. 5  
From Central Fire  
Protection District

Resolution No. 11703, withdrawing certain annexed territory designated Winchester No. 5 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 Santora, adopted:

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

Resolution No. 11704      Resolution No. 11704, withdrawing certain annexed territory  
Withdrawing      designated Easterbrook No. 2 from the Central Fire Protection District of  
Easterbrook No. 2      the County of Santa Clara, is presented by the City Attorney and upon  
From Central Fire      motion of Councilman Watson, seconded by Councilman Santora, adopted:  
Protection District

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

Resolution No. 11705      Resolution No. 11705, withdrawing certain annexed territory  
Withdrawing      designated Broadway No. 2 from the Central Fire Protection District of the  
Broadway No. 2      County of Santa Clara, is presented by the City Attorney and upon motion of  
From Central Fire      Councilman Watson, seconded by Councilman Santora, adopted:  
Protection District

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

Resolution No. 11706      Resolution No. 11706, withdrawing certain annexed territory  
Withdrawing      designated Broadway N . 2 from the Willow Glen Lighting District in the  
Broadway No. 2      County of Santa Clara, is presented by the City Attorney and upon motion  
From Willow Glen      of Councilman Watson, seconded by Councilman Santora, adopted:  
Lighting District

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

Payment Authorized      Certificate of H. J. Flannery, City Engineer, approved by  
Nick Bebek      A. P. Hamann, City Manager, that there is due and payable to Nick Bebek  
on contract for the construction of concrete storm water sewers and ap-  
purtenances in San Jose Storm Sewer System Route 5 and Vicinity, Part II,  
a second partial payment in the amount of \$26,477.63, is read. Councilman  
Watson proposes and moves adoption of resolution that said payment be  
authorized, seconded by Councilman Santora and adopted:

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

Payment Authorized      Certificate of H. J. Flannery, City Engineer, approved by  
Leo F. Piazza Paving Co.      A. P. Hamann, City Manager, that there is due and payable to Leo F. Piazza

Paving Co. on contract for the improvement of Julian-Cinnabar-Keeble Streets, M.C.S. Project No. 146, a final payment in the amount of \$7,812.09, is read. Councilman Watson proposes and moves adoption of resolution that said payment be authorized, seconded by Councilman Santora and adopted:

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

Proposed  
City Hall  
Plot Plan

A. P. Hamann, City Manager, presents and files report of Joint Civic Center Committee on plot plan of proposed City Hall building.

Councilman Hathaway proposes and moves adoption of resolution that the design and plot plans of the proposed City Hall building be referred to the City Planning Commission, pursuant to Section 94 of the Charter, for consideration and report, seconded by Councilman Watson and adopted:

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

Proposed  
City Hall  
Plot Plan

Councilman Moore proposes and moves adoption of resolution that the City Manager arrange a meeting of the Committee of the Whole and the City Planning Commission to discuss design and plot plans for the proposed City Hall building, seconded by Councilman Santora and adopted:

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

Proposed  
Christmas Tree Lot  
City-owned Property

A. P. Hamann, City Manager, presents request of Joseph I. Corral to rent for \$150 per month, city-owned property on the southeast corner of The Alameda and Polhemus Street for the purpose of selling Christmas trees. Ferdinand P. Palla, City Attorney, advises that such leasing must be done by public auction. Councilman Hathaway proposes and moves adoption of resolution that said request be tabled, seconded by Councilman Santora and not adopted:

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

Proposed  
Christmas Tree Lot  
City-owned Property

Councilman Solari proposes and moves adoption of resolution that the City Manager be authorized to cause publication of notice of lease for certain city-owned property on the southeast corner of The Alameda and Polhemus Street for a period of one month for use as a Christmas tree sales lot, seconded by Councilman Foley and adopted:

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

S-D Day  
Proclamation

Request of California Safety Council, Inc., that December 1, 1955, be proclaimed as S-D Day and that a Director for S-D Day be appointed by the Mayor, is presented by the City Manager. Councilman Moore proposes and moves adoption of resolution that said request be granted and that the Mayor be authorized to so proclaim and that he be authorized to appoint a Director for S-D Day activities, seconded by Councilman Watson and adopted:

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

Invite Bids  
Trucks

A. P. Hamann, City Manager, presents requests of the Purchasing Agent and recommends and Councilman Hathaway proposes and moves adoption of resolution that the City Manager be authorized to invite bids for furnishing: 5 two ton flat bed trucks, 3 four yard dump trucks, 4 one-half ton pickup trucks for the Department of Public Works; 1 two-door sedan, 2 four-door sedans, and 1 3-wheel radio equipped motorcycle for the Police Department; and 2 3/4 ton cabs and chassis for the Health Department, seconded by Councilman Watson and adopted:

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

Proposed Property  
Purchases  
San Carlos St.  
Widening

A. P. Hamann, City Manager, recommends and Councilman Watson proposes and moves adoption of resolution that the purchase of portions of property at 435, 435, 544 and 562 W. San Carlos Street for \$38,432.62 for street widening purposes, be authorized, seconded by Councilman Santora and adopted:

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

Inter-City  
Council Meeting

A. P. Hamann, City Manager, advises that the Inter-City Council will meet at 7:00 o'clock P.M. on November 10, 1955, at the Chez Yvonne restaurant in Mountain View, California.

Recess

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

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

Recess

The Council now recesses at 7:52 o'clock P.M.

Reconvene

The Council now reconvenes at 8:02 o'clock P.M. and the Acting City Clerk calls the roll:

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

Bids

Improve Vine St.,  
2nd, 3rd, St. James,  
19th, San Salvador Sts.  
M.C.S. Project 168  
Unit 2

Acting City Clerk reports receipt of three sealed proposals or bids for the improvement of Vine Street, 2nd Street, 3rd Street, St. James Street, 19th Street and San Salvador Street, Major City Street Project 168, Unit 2. Councilman Watson proposes and moves adoption of resolution that said sealed proposals or bids be opened, seconded by Councilman Hathaway and adopted:

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

Bids

Acting City Clerk now opens said sealed proposals or bids.

Items Approximate Quantity	Bidders		
	Henry W. Miller Paving Company Price \$ Cts.	Leo F. Piazza Paving Co. Price \$ Cts.	A. J. Raisch Paving Company Price \$ Cts.
12,300 tons plant mix surfacing (1/2" max) in place, per ton	4.68	3.95	4.84
123 tons plant mix surfacing (No. 4 max) in place, per ton	4.68	20.00	20.00
90 tons asphaltic emulsion in place, per ton	45.00	42.00	37.00
114 each manholes to be reset in place, each	5.00	20.00	5.00
1 bolted manhole to be raised, each	5.00	150.00	15.00

Approximate Quantity	Items	Henry W. Miller Paving Company		Leo F. Piazza Paving Co.		A. J. Raisch Paving Company	
		Price \$ Cts.	Price \$ Cts.	Price \$ Cts.	Price \$ Cts.		
45 lin. ft.	P.C.C. curb to be constructed, per lin ft.	3.50		2.00		2.50	
15 sq. ft.	P.C.C. sidewalk to be constructed, per sq. ft.	0.60		1.50		2.00	
85 cu. yd.	untreated base in place, per cu. yd.	3.50		5.00		7.00	
79 lin. ft.	10" R.C.P. in place, per lin. ft.	5.50		7.00		10.00	
2	storm water inlets to be con- structed, each	250.00		500.00		170.00	
20 each	monuments to be raised, each	22.50		50.00		10.00	

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

Bids  
Improve Vine St.,  
2nd, 3rd, St. James,  
19th, San Salvador Sts.  
M.C.S. Project 168  
Unit 2

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

Bids  
Storm Sewers  
Alameda-Sunol  
Route 2-b

Acting City Clerk reports receipt of two sealed proposals or bids for the construction of concrete storm water sewers and appurtenances in City of San Jose Storm Sewer System Alameda-Sunol, Route 2-b. 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

Acting City Clerk now opens said sealed proposals or bids.

Approximate Quantity	Items	Bidders	
		A. J. Peters & Son Price \$ Cts.	M. L. Raymond Price \$ Cts.
160 lin. ft.	8" plain conc. pipe, standard strength, inlet laterals in place, per lin. ft.	12.63	5.00

Items Approximate Quantity	A. J. Peters & Son Price		M. L. Raymond Price	
	\$	Cts.	\$	Cts.
320 lin. ft. 10" plain conc. pipe, standard strength, in place, per lin. ft.	12.94		12.85	
540 lin. ft. 12" plain conc. pipe, standard strength, in place, per lin. ft.	11.85		13.25	
420 lin. ft. 18" reinf. conc. pipe, standard strength, in place, per lin. ft.	14.97		15.24	
6 standard clay brick manholes complete with covers & rings, in place, each	220.00		225.00	
7 standard conc. inlet structures complete with frame, grate & hood, in place, each	165.00		140.00	
-1 large conc. inlet structure complete with frame, grate & hood, in place, each	215.00		200.00	
70 sq. ft. concrete sidewalk 3 1/2" thick at corner to be reconstructed (includes 4" course of cushion and removal of existing sidewalk) in place, per sq. ft.	0.51		1.00	
25 sq. ft. concrete driveway 6" thick at corner to be reconstructed (includes 4" course of cushion and removal of existing driveway) in place, per sq. ft.	0.70		2.00	
150 sq. ft. concrete gutter at corner to be reconstructed (includes cushion and removal of existing gutter) in place, per sq. ft.	0.70		2.00	
60 lin. ft. concrete curb at corner to be reconstructed (includes cushion and removal of existing curb) in place, per lin. ft.	1.15		3.00	
0.9 tons plant mix surfacing No. 4 maximum gradation at corner to be reconstructed in place, per ton	40.00		140.00	
200 lin. ft. 2" deep reinforced concrete saw cut, per lin. ft.	0.58		0.80	
900 sq. ft. of removal of reinforced concrete, per sq. ft.	0.47		0.50	
GRAND TOTAL	None listed*		\$22,347.80**	

\* Affidavit of non-collusion not notarized.  
 \*\* Affidavit of non-collusion not completed; contractor's name in full not provided.

Guarantee: A. J. Peters & Son - bid bond of The United Pacific Insurance Company in amount of \$10,000; M. L. Raymond - The Employers' Liability Assurance Corporation, Ltd., in amount of \$2,500.

Bids  
 Storm Sewers  
 Alameda-Sunol  
 Route 2-b

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 Santora and adopted:

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

Lease Of  
City-Owned Land  
Municipal Airport

This being the time and place fixed for lease at public auction for research, development, testing maintenance, overhaul and manufacture of the following: electronics equipment, electrical equipment, aircraft, aircraft components, aircraft accessories, aircraft engines and instruments; or for aircraft sales, fixed based operations, aircraft rental and charter, of the parcel of city-owned land containing approximately .70 acres, located at the San Jose Municipal Airport, not now needed for municipal purposes, for a period of twenty-five years, H. J. Flannery, City Engineer, invites bids. Robert Wright, representing Walter Cabral, bids \$40 per month per acre. No further bid is heard, whereupon said bidding is closed. Councilman Hathaway proposes and moves adoption of resolution that said bid of Robert Wright, be declared the highest and best bid for the lease of said parcel of land, and that said bid be accepted, seconded by Councilman Watson and adopted:

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

Ordinance No. 4933  
Leasing Airport Land  
Walter Cabral

Ordinance No. 4933, entitled: "An Ordinance Of The City Of San Jose Leasing And Granting Options To Lease Certain Described Parcels Of City Owned Lands At The San Jose Municipal Airport", is read and upon motion of Councilman Hathaway, seconded by Councilman Watson, passed to print:

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

1953 National  
Electrical Code  
Hearing

This being the time and place fixed for public hearing for the purpose of considering and discussing the proposed adoption of portions of the 1953 National Electrical Code, Ferdinand P. Palla, City Attorney, recommends and Councilman Hathaway proposes and moves adoption of resolution that said hearing be continued to November 14, 1955, seconded by Councilman Watson and adopted:

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

Uniform Plumbing  
Code, 1955 Edition  
Hearing

This being the time and place fixed for public hearing for the purpose of considering and discussing the proposed adoption of portions of the Uniform Plumbing Code, 1955 Edition, Cherry L. Cecchini and Robert Reeves appear in opposition to the proposal and Daniel F. MacDonald and W. J. Crompton appear in favor of said proposed adoption. Councilman Watson proposes and moves adoption of resolution that said hearing be continued to November 14, 1955, seconded by Councilman Moore and adopted:

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

Proposed Rezoning  
10th & Julian Sts.  
Hearing

This being the time and place fixed for public hearing for the purpose of considering and discussing the proposal, pursuant to Section 9112.1(b) of the San Jose Municipal Code, for the rezoning to C-2 Commercial District, all or a part of certain real property on all corners of 10th and Julian Streets, said property being now zoned R-2 Residence District, Acting City Clerk reports that no protests to said proposed rezoning have been filed. Paul Gallagher, Attorney at Law, appears in favor of said rezoning. Councilman Watson proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Santora and adopted:

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

Ordinance No. 4934  
Rezoning All Corners  
10th & Julian Sts.

Ordinance No. 4934, entitled: "An Ordinance Amending The San Jose Municipal Code By Adding A New Section Thereto To Be Numbered 9102.44z50 Rezoning Portions Of Real Property On All Corners Of Tenth And Julian Streets, As Herein Described", is read and upon motion of Councilman Foley, seconded by Councilman Santora, passed to print:

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

Proposed Rezoning  
Park Ave.,  
Emory to McDaniel Ave.

This being the time and place fixed for public hearing for the purpose of considering and discussing the proposal, pursuant to Section 9112.1 (c) of the San Jose Municipal Code, for the rezoning to C-1 Commercial District of all or a part of certain real property on the NE. side of Park Avenue between Emory Street and the prolongation of the southeast line of McDaniel Avenue, said property being now zoned C Commercial District (Professional-Office), Acting City Clerk reports that protests to said proposed rezoning have been filed by residents of the area. Everett W. Jones appears in favor of said rezoning. Councilman Watson proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Santora and adopted:

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

Rezoning Park Ave.  
Emory St. to McDaniel Ave.  
Denied

Councilman Hathaway proposes and moves adoption of resolution that certain real property on the NE. side of Park Avenue between Emory Street and the prolongation of the southeast line of McDaniel Avenue, be not rezoned from C Commercial District to C-1 Commercial District, seconded by Councilman Watson and adopted:

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

Redefining  
Home Occupations  
Hearing

This being the time and place fixed for public hearing, pursuant to Section 9112.1 (b) of the San Jose Municipal Code, on the proposal for the amendment of Section 9101.21 and repeal of Section 9101.22 of the San Jose Municipal Code to change definition of Home Occupations, Acting City Clerk reports that no protests to said proposed amendment have been filed. No person is present desirous of being heard. Councilman Moore proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Watson and adopted:

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

Ordinance No. 4935  
Redefining Home Occupations

Ordinance No. 4935, entitled: "An Ordinance Of The City Of  
San Jose Amending Section 9101.21 Of The San Jose Municipal Code In Order

To Redefine The Term Home Occupations; And Repealing Section 9101.22  
Of Said Code", is read 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.

20th St.  
Jackson to Taylor Sts.  
Issuance Of  
Bonds Hearing

This being the time and place fixed for hearing protests why  
bonds should not be issued upon the security of the unpaid assessments as  
shown on list prepared and filed by the City Engineer, for the opening  
of 20th Street between Taylor Street on the northwest and Jackson Street  
on the southeast, Acting City Clerk reports that no protests have been  
filed. No person is present desirous of being heard. Councilman Hathaway  
proposes and moves adoption of resolution that said hearing be closed,  
seconded by Councilman Solari and adopted:

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

20th St.  
Jackson to Taylor Sts,  
Resolution No. 11707  
Issuance of Bonds

Resolution No. 11707, providing for the issuance of street  
improvement bonds on the security of the unpaid assessment for the  
opening of 20th Street between Taylor Street on the northwest and Jackson  
Street on the southeast, is read 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.

20th St.  
Jackson to Taylor Sts.  
Resolution No. 11708  
Sale of Bonds

Resolution No. 11708 calling for bids on sale of improvement  
bonds for the opening of 20th Street between Taylor Street on the north-  
west and Jackson Street on the southeast, is read and upon motion of Council-  
man Watson, seconded by Councilman Santora, adopted:

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

Report  
10th St. Truck Study  
Traffic Analyst

A. B. Philpott, Traffic Analyst, presents and files Report on  
10th Street Truck Study. Frank Maggi, Mrs. L. M. Latour, Mrs. T. Dieenne,  
Richard Valente, L. E. Henry, and others appear and general discussion

is had relative to truck traffic on 10th Street, and the proposal to route a portion of such traffic onto Bayshore Highway. Councilman Moore proposes and moves adoption of resolution that the City Attorney be instructed to prepare and submit on November 14, 1955, a proposed ordinance which would prohibit use of 10th Street between Keyes Street and Taylor Street by trucks which exceed a certain tonnage, which is to be determined, except those which have business in the area, area to be determined, seconded by Councilman Santora and adopted:

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

Speed on 10th St.

Santo Piraro appears and complains of excessive speeds of vehicles on 10th Street. Councilman Watson proposes and moves adoption of resolution that the Chief of Police investigate and report on alleged violation of the speed limit on 10th Street, seconded by Councilman Santora and adopted:

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

Merchants Assn.  
Of San Jose

Request of Merchants Association of San Jose for permission to use 5 parking spaces in the downtown area on November 25, 1955, for sky beam lights, is presented and filed.

Southern Pacific Co.

Communication from Southern Pacific Company requesting revocation of permits for spur tracks in Alma Avenue, granted by Resolution Nos. 8779 and 11043, is presented. Councilman Foley proposes and moves that said communication be referred to the City Engineer, City Attorney, and Director of Planning for consideration and report, seconded by Councilman Solari and adopted:

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

Junk Peddler  
(Richard L. Baxter)

Application of Richard LaVerne Baxter for permit to engage in the business of Junk Peddler in accordance with the provisions of the San Jose Municipal Code, approved by the Chief of Police, is presented and reported in proper form. Councilman Watson proposes and moves adoption

of resolution that said permit be granted, seconded by Councilman Foley and adopted:

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

Proclamation  
Christmas Seal Days

Request of Executive Secretary of Santa Clara County Tuberculosis Association that November 16 to December 31, 1955, be proclaimed as Christmas Seal Days, is read. Councilman Foley proposes and moves adoption of resolution that said request be granted and the Mayor be authorized to so proclaim, seconded by Councilman Santora and adopted:

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

League Of Calif. Cities

Notification from League of California Cities, Peninsula Division, of meeting to be held at 7:15 o'clock P.M., November 17, 1955, at the Villa Chartier in San Mateo, is presented and by unanimous consent, filed.

Resurfacing Major City Streets  
Resolution No. 11709  
Award

Harold J. Flannery, City Engineer, reports that the bid of Leo F. Piazza Paving Co. is the lowest responsible bid for the improvement of Vine Street, Second Street, Third Street, St. James Street, Nineteenth Street and San Salvador Street, Major City Street Project 168, Unit 2. and recommends that said bid be accepted. Resolution No. 11709 awarding contract for the improvement of Vine Street, Second Street, Third Street, St. James Street, Nineteenth Street and San Salvador Street, Major City Street Project 168, Unit 2. to Leo F. Piazza Paving Co., is read and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Parking Meters  
Removal

Councilman Santora requests that the City Manager investigate the feasibility of removing 1 parking meter in the vicinity of the drive-in mail box in front of the Post Office building and 1 parking meter in the vicinity of the book return box near the Public Library to facilitate movement of vehicles of persons using said depositories and Councilman Solari advises that it may be illegal to remove any parking meters, the

revenue of which has been pledged for the redemption of the Off-Street Parking Revenue Bonds.

Charter Amendment

Councilman Moore proposes and moves adoption of resolution that City Attorney prepare and submit to the Committee of the Whole a proposed amendment to Section 6 of the Charter, to be submitted to the electors on April 10, 1956, providing for an increase in compensation to Councilmen, seconded by Councilman Santora and 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 Leo F. Piazza Paving Co., awarded October 17, 1955 for the improvement of a portion of Union Avenue all in or adjacent to Tract No. 1394, Cambrian Park Estates, Unit No. 3, the bond for faithful performance to be fixed at \$414.10 and the bond of Leo F. Piazza Paving Co., as principal, and Hartford Accident and Indemnity Company, as surety, to the City of San Jose, in the amount of \$828.20, 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.

Contract Bonds

Councilman Watson proposes and moves adoption of resolution that in contract with Farr & McCullough, awarded October 31, 1955 for the construction of entrances and attendant's offices for Off-Street Parking Lot Nos. 3 and 4, the bond for faithful performance be fixed at \$2,325.37 and the bond of Farr & McCullough, as principal, and Globe Indemnity Company, as surety, to the City of San Jose, in the amount of \$4,650.73, 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.

Resolution No. 11710  
Tract No. 1610  
Fixing Curb Grades

Resolution No. 11710 fixing official curb grades and positions  
of curbs for Lindenoaks Drive and portions of Cypress Avenue and Eden

Avenue, all in or adjacent to Tract No. 1610, 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. 11711  
Tract No. 1610  
Adopting Plans

Resolution No. 11711, adopting plans and specifications for Tract No. 1610, 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. 11712  
Tract No. 1610  
Approving Final Map

Resolution No. 11712, approving and accepting Final Map of Tract No. 1610, 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. 11713

Resolution No. 11713, approving and authorizing the execution of the contract for the improvement of Tract No. 1610, 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.

Alcoholic Beverage  
Control Act

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

Adjourn

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

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

Adjourn

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

ATTEST: *Francis L. Greiner*  
FRANCIS L. GREINER  
ACTING CITY CLERK

*George Starbird*  
GEORGE STARBIRD  
MAYOR

Monday

San Jose, California

November 14, 1955

The Council of the City of San Jose convenes this day in regular session at 7:00 o'clock P.M.

Roll Call

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

Absent: Councilmen - None

Invocation

Invocation is given by Mayor George Starbird.

Minutes

Councilman Watson proposes and moves adoption of resolution that consideration of the Minutes of regular sessions of May 3, 10, 17, 18, 24, June 1, 7, 14, 21, 28, July 6, 12, 19, 26, Aug. 2, 6, 9, 16, 23, 26, 30, Sept. 7, 13, 20, 27, Oct. 4, 11, 15, 25, Nov. 1, 8, 15, 22, Dec. 6, 7, 13, 20, 27, 1954; Jan. 3, 10, 17, 24, 31, Feb. 7, 14, 21, 23, 28, Mar. 7, 4 P.M. & 8 P.M. Mar. 14, 21, 22, 28, 31, Apr. 4, 11, 18, 25, May 2, 9, 16, 18, 23, 31, June 6, 13, 20, 27, July 5, 11, 18, 25, Aug. 1, 4, 8, 15, 22, 29, Sept. 6, 12, 14, 26, 28, Oct. 3, 4, 10, 17, 31, and Nov. 7, 1955, be deferred, seconded by Councilman Santora and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - None.

Ordinance No. 4933  
Lease  
Airport Land

Ordinance No. 4933, entitled: "An Ordinance Of The City Of San Jose Leasing And Granting Options To Lease Certain Described Parcels Of City Owned Lands At The San Jose Municipal Airport", passed to print November 7, 1955, is given final reading and upon motion of Councilman Hathaway, seconded by Councilman Watson, adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - None.

Ordinance No. 4935  
Home Occupation  
Definition

Ordinance No. 4935, entitled: "An Ordinance Of The City Of San Jose Amending Section 9101.21 Of The San Jose Municipal Code In Order To Redefine The Term Home Occupations; And Repealing Section 9101.22 Of Said Code", passed to print November 7, 1955, 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.

Proposed Development  
Moorpark Park

A. P. Hamann, City Manager, recommends and Councilman Watson proposes and moves adoption of resolution that consideration of the report of the City Manager on availability of property on E. side of proposed Moorpark Park be deferred to November 21, 1955, seconded by Councilman Moore and adopted:

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

Proposed Ordinance  
Limit Trucks  
10th St.,  
Taylor-Keyes Sts.

Ferdinand P. Palla, City Attorney, presents proposed ordinance entitled: "An Ordinance Of The City Of San Jose Adopting And Adding To 'Chapter 3 - Traffic Regulations' Of 'Article III - Public Safety' Of The San Jose Municipal Code A New Part Entitled 'Part 16. Weight Limits Of Vehicles On Certain Streets', To Prohibit, With Certain Exceptions, The Use Of Tenth Street Between Taylor And Keyes Streets By Any Vehicle Exceeding A Maximum Gross Weight Of 16,000 Pounds". A. B. Philpott, Traffic Analyst, presents chart showing various approximate truck weights and categories, as follows: light truck, 4,000 lbs. to 6,000 lbs. gross vehicle weight; service truck, 6,000 lbs. to 16,000 lbs. gross vehicle weight; inter- and intra-city truck, 16,000 lbs. to 36,000 lbs. gross vehicle weight; heavy duty truck, 22,000 lbs. to 42,000 lbs. gross vehicle weight. Councilman Hathaway recommends that action be deferred until the new Keyes Street bridge is completed to ascertain if the problem will not solve itself by truck drivers voluntarily using this route. Councilman Moore moves that said proposed ordinance be passed to print with a provision that trucks exceeding a gross weight of 16,000 lbs. be prohibited except as otherwise provided for, seconded by Councilman Santora. General Discussion is had. Councilman Solari states that 10th Street is a potential truck route and that said ordinance, if adopted, may have to be repealed at a later date. Dr. Stanley M. Innes, appears and states that some trucks which will be forced off 10th Street will use 7th Street, adding to the number of trucks already using this street. Councilman Foley recommends that said proposed ordinance not be adopted at this time as trucks will then move to other streets, and that practicability of adopting a system of truck routes should be

discussed with the Traffic Analyst and the City Planning Commission.  
Councilman Solari proposes and moves adoption of resolution to table  
said proposed ordinance, seconded by Councilman Hathaway and adopted:

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

Proposed  
Truck Route

Councilman Solari proposes and moves adoption of resolution  
that the City Planning Commission and Traffic Analyst submit to the  
Committee of the Whole on December 12, 1955, a proposed plan for a system  
of truck routes, seconded by Councilman Santora and adopted:

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

Improvement  
Alma Ave. Between  
Lick & Minnesota Aves.  
Award

Harold J. Flannery, City Engineer, reports that the bid of  
Dan Caputo Co., Dan Caputo & Edw. Keeble, joint venture, opened  
October 31, 1955, is the lowest responsible bid for the work of improving  
Alma Avenue from Lick Avenue to Minnesota Avenue including construction  
of an underpass under Southern Pacific Company Railroad Lines sanitary  
sewers, storm sewers, paving, curb, gutter, sidewalk and lighting, and  
recommends, and Councilman Watson proposes and moves adoption of res-  
olution that said bid of Dan Caputo Co., Dan Caputo & Edw. Keeble, joint  
venture, be accepted, contract be awarded for said improvements, and  
all other bids be rejected, seconded by Councilman Foley, and adopted:

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

Storm Sewers  
Alameda-Sunol  
Route 2-b  
Reject Bids

Council now considers the proposals or bids, opened November  
7, 1955, for the construction of concrete storm water sewers and  
appurtenances in City of San Jose Storm Sewer System Alameda-Sunol,  
Route 2-b. H. J. Flannery, City Engineer, reports that the bids are  
excessive and recommends and Councilman Foley proposes and moves adoption  
of resolution that all bids be rejected, seconded by Councilman Watson  
and adopted:

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

Proposer  
Vehicle Parking  
Residential Zones  
Adjacent To  
Manufacturing Zones

Councilman Foley  
Leaves Session

Recommendation of the City Planning Commission that the zoning regulations be not amended to permit parking of vehicles in residential districts which are adjacent to industrial districts when such vehicles are to be parked in connection with the activity in the industrial district is presented. Councilman Foley requests and is granted permission to leave session. Councilman Hathaway proposes and moves adoption of resolution that said recommendation be referred to the Committee of the Whole for discussion with the City Planning Commission, seconded by Councilman Moore and adopted:

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

Abandon Portions Of  
23rd, 24th, 25th Sts.,  
26th & 27th Sts.,

Recommendation of the City Planning Commission, pursuant to Section 94 of the Charter, that those portions of N. 23rd Street, N. 24th Street, N. 25th Street, between Taylor Street and Jackson Street, and that those portions of N. 26th Street and N. 27th Street between Taylor Street and the Coyote River, be abandoned for public use, is presented. Councilman Watson proposes and moves adoption of resolution that said recommendation be referred to the City Attorney for report, seconded by Councilman Santora and adopted:

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

Health Center  
Building Construction

Recommendation of the City Planning Commission, pursuant to Section 94 of the Charter, that the Council give consideration to the construction of a Type I building (reinforced concrete) for the Health Center building, instead of the presently planned Type V building (frame), is presented. Hollis Logue, Jr., Architect, appears and states that only preliminary plans have been made and that reinforced concrete may increase cost of the structure by 12 $\frac{1}{2}$ %. Councilman Moore proposes and moves adoption of resolution that City Manager submit differences in cost between frame and reinforced concrete construction for the Health Center building on November 21, 1955, seconded by Councilman Hathaway and adopted:

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

Box Seats Municipal  
Baseball Stadium

Recommendation of City Planning Commission, pursuant to Section  
94 of the Charter, that additions and alterations for the Municipal Base-  
ball Stadium to provide box seats be approved, in keeping with plan  
attached thereto is presented. Councilman Watson proposes and moves adop-  
tion of resolution that said plans, be adopted, seconded by Councilman  
Santora and adopted:

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

Recess

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

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

Recess

The Council now recesses at 7:56 o'clock P.M.

Reconvene

The Council now reconvenes at 8:02 o'clock P.M. and the

Acting Clerk calls the roll:

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

Bids  
One Rotary Hoe

Acting City Clerk reports receipt of two sealed proposals or bids  
for furnishing one rotary hoe. Councilman Hathaway proposes and moves  
adoption of resolution that said proposals or bids be opened, seconded  
by Councilman Solari and adopted:

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

Bids

Acting City Clerk now opens said sealed proposals or bids.

Item	Bidders	
	Emery Supply Company Price	S. and W. Equipment Co. Price
1 Rotary Hoe, per specifications	\$ 985.00	\$ 998.00

PLUS STATE SALES TAX

Guarantee: Emery Supply Company - cashier's check #1-12792 (90-1462-1211) in amount of \$98.50; S. And W. Equipment Co. - certified #3695 check #1330 (90-286-1211) in amount of \$100.00.

Bids  
One Rotary Hoe

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

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

Bid  
Improve Leigh Ave.  
Cambrian Acres  
Unit 1 Tr. 1421

Acting City Clerk reports receipt of one sealed proposal or bid for the improvement of a portion of Leigh Avenue in and adjacent to Tract No. 1421, Cambrian Acres, Unit No. 1. Councilman Hathaway proposes and moves adoption of resolution that said proposal or bid be opened, seconded by Councilman Watson and adopted:

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

Bid

Acting City Clerk now opens said sealed proposal or bid.

Item	Bidder	
	A. J. Raisch Paving Company	
Approximate Quantity	Price	
	\$	Cts.
9,380 sq. ft. asphaltic concret pavement, per sq. ft.		0.155

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

Bid  
Improve Leigh Ave.  
Cambrian Acres  
Unit 1 Tr. 1421

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

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

Public Auction  
Lease  
Airport  
Agricultural Lands

This being the time and place fixed for lease at public auction for agricultural purposes only all that real property consisting of Parcels Nos. 1, 2, 4, 5, 6, 8, 10 and 13, a total of 537.50 acres more or less, situate in the vicinity of the San Jose Municipal Airport, for a period of one year commencing January 1, 1956, John B. Massen, Assistant

City Manager, invites bids. Dominic Caserta, Marchese Farms, bids \$65 per year per acre for said lease, Joseph Greco, Giannini Farms, bids \$66 per acre per year, and bidding continues with Marchese Farms submitting final bid of \$70 per acre per year. No further bid is heard, whereupon bidding is closed. Councilman Moore proposes and moves adoption of resolution that said bid of Marchese Farms in amount of \$70 per acre per year for the property consisting of Parcels Nos. 1, 2, 4, 5, 6, 8, 10 and 13, a total of 537.50 acres more or less, situate in the vicinity of the San Jose Municipal Airport, be accepted, seconded by Councilman Watson and adopted:

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

Ordinance No. 4936  
Lease Airport  
Agricultural Lands

Ordinance No. 4936, entitled: "An Ordinance Of The City Of San Jose Leasing Certain Real Property Of The City, Which Is Not Presently Needed For Municipal Purposes To The Highest Responsible Bidder Therefor; And Authorizing The Mayor To Execute Form Of Lease", is read, and upon motion of Councilman Moore, seconded by Councilman Watson, passed to print:

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

Public Auction  
Lease Airport  
Land & Dwellings

This being the time and place fixed for lease at public auction, for residential purposes only, all that real property consisting of Parcels No. 9 and No. 12, a total of 0.9 acres more or less, situate in the vicinity of the San Jose Municipal Airport for a period of one year commencing January 1, 1956, John B. Massen, Assistant City Manager, invites bids. Dominic Caserta, Marchese Farms, bids \$50 per month per parcel of land. No further bid is heard, whereupon bidding is closed. Councilman Watson proposes and moves adoption of resolution that said bid of Marchese Farms in amount of \$50 per month per parcel of land for the property consisting of Parcels No. 9 and No. 12, a total of 0.9 acres more or less, situate in the vicinity of the San Jose Municipal Airport, be accepted, seconded by Councilman Moore and adopted:

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

Ordinance No. 4937  
Lease Airport  
Land & Dwellings

Ordinance No. 4937, entitled: "An Ordinance Of The City Of San Jose Leasing Certain Real Property Of The City, Which Is Not Presently Needed For Municipal Purposes To The Highest Responsible Bidder Therefor; And Authorizing The Mayor To Execute Form Of Lease", is read, and upon motion of Councilman Watson, seconded by Councilman Moore, passed to print:

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

Uniform Plumbing  
Code, 1955 Edition  
Hearing

This being the time and place fixed for public hearing, as continued from November 7, 1955, for the purpose of considering and discussing the proposed adoption of portions of the Uniform Plumbing Code, 1955 Edition, Cherry L. Cecchini appears in opposition to the proposal and Acting City Clerk reads protest of Del Pilar Corporation to said proposal. Daniel F. MacDonald appears in favor of the adoption of said Code. Three copies of Commercial Standard 188-53 of the United States Department of Commerce are presented and filed. Robert V. Lotz, City Building Official, appears and recommends adoption of said portions of the Uniform Plumbing Code, 1955 Edition, and Councilman Watson proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Moore and adopted:

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

Ordinance No. 4904  
Uniform Plumbing Code  
1955 Edition

Ordinance No. 4904, entitled: "An Ordinance Of The City Of San Jose Repealing Portions Of The Plumbing Code Of The City Of San Jose, To Wit: All Of Part 1 Of Chapter 2 Of Article VIII Of The San Jose Municipal Code (Sections 8201.1 to 8201.35) And All Of Parts 3 to 15, Inclusive, Of Chapter 2 Of Article VIII Of The San Jose Municipal Code (Sections 8203.1 To 8215.2, Inclusive) And Sections 8202.20 And 8202.21 Of Part 2 Of Chapter 2 Of Articles VIII Of The San Jose Municipal Code; Adopting By Reference Portions Of The Western Plumbing Officials Uniform Plumbing Code, 1955 Edition; Adding A New Part 1 To Chapter 2, Article

VIII, Of The San Jose Municipal Code; Adding New Sections To The San Jose Municipal Code And To Said Uniform Plumbing Code; Adding New Sections 8202.10, 8202.20 and 8202.21 To Part 2, Chapter 2, Article VIII, Of The San Jose Municipal Code Relating To Plumbing Permit Fees; Providing For Application Of Penalty Provisions Of The San Jose Municipal Code; And Repealing All Code Sections And/Or Ordinances In Conflict Herewith", is read and upon motion of Councilman Watson, seconded by Councilman Santora, passed to print:

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

Ordinance No. 4938  
House Sewers

Ordinance No. 4938, entitled: "An Ordinance Of The City Of San Jose Amending Section 8201.12 Of The San Jose Municipal Code Relating To Use Of Cast Iron Pipe And Clay Tile Pipe For House Sewers; Repealing All Ordinances And Code Sections And/Or Parts Thereof In Conflict Herewith", is read and upon motion of Councilman Watson, seconded by Councilman Santora, passed to print:

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

1953 National  
Electrical Code  
Hearing

This being the time and place fixed for public hearing, as continued from November 7, 1955, for the purpose of considering and discussing the proposed adoption of portions of the 1953 National Electrical Code, Robert V. Lotz, City Building Official, appears and recommends adoption of said Code. Councilman Watson proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Santora and adopted:

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

Ordinance No. 4905  
1953 National  
Electrical Code

Ordinance No. 4905, entitled: "An Ordinance Of The City Of San Jose Repealing Sections 8300-8399 Of Chapter 3 - Electrical Code Of Article VIII Of The San Jose Municipal Code; Adopting By Reference Portions Of The 1953 National Electrical Code; Adding New Sections To Chapter 3, Article VIII Of The San Jose Municipal Code And To The 1953 National

Electrical Code; Providing For Application Of Penalty Provisions Of The San Jose Municipal Code And Repealing All Code Sections And/Or Ordinances In Conflict Herewith", is read and upon motion of Councilman Santora, seconded by Councilman Moore, passed to print:

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

Ordinance No. 4939  
Electrical Code

Ordinance No. 4939, entitled: "An Ordinance Of The City Of San Jose Designating Sections 8300 - 8330 Inclusive As Part 1. General Of Chapter 3 - Electrical Code, Article VIII Of The San Jose Municipal Code; Adding To Said Chapter 3, Article VIII Certain New Sections (8331 - 8337 Inclusive) To Be Designated Part 2. Certificate Of Competency. Examinations. Appeals" is read and upon motion of Councilman Watson, seconded by Councilman Santora, passed to print:

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

Councilman Watson  
Leaves Session

Councilman Watson requests and is granted permission to leave session.

Proposed Rezoning  
Parcel N. of  
Moorpark Ave., between  
Monroe St. and  
Santa Clara-Los Gatos Rd.  
Hearing

This being the time and place fixed for public hearing for the purpose of considering and discussing the proposal, pursuant to Section 9112.1(b) of the San Jose Municipal Code, for the rezoning to R-3 Residence District, all or a part of certain real property lying North of Moorpark Avenue between Monroe Street and the Santa Clara-Los Gatos Road, said property being now zoned R-1 Residence District, Acting City Clerk reports that no protests to said proposed rezoning have been filed. No person is present desirous of being heard. Councilman Hathaway proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Solari and adopted:

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

Ordinance No. 4940  
Rezoning  
Parcel N. of  
Moorpark Ave., between  
Monroe St. and  
Santa Clara-Los Gatos Rd.

Ordinance No. 4940, entitled: "An Ordinance Amending The San Jose Municipal Code By Adding A New Section Thereto To Be Numbered 9102.44z51 Rezoning Certain Real Property Located North Of Moorpark Avenue Between Monroe Street And Santa Clara-Los Gatos Road, As Herein

Described", is read and upon motion of Councilman Hathaway, seconded by Councilman Solari, passed to print:

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

Proposed Rezoning  
7th St. Near  
Younger Ave.  
Hearing

This being the time and place fixed for public hearing for the purpose of considering and discussing the proposal, pursuant to Section 9112.1 (c) of the San Jose Municipal Code, for the rezoning to M-1 Manufacturing District, all or a part of certain real property on the E. side of North 7th Street near Younger Avenue, said property being now zoned R-3 Residence District, Acting City Clerk reports that no protest to said proposed rezoning has been filed. No person is present desirous of being heard. Councilman Hathaway proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Solari and adopted:

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

Ordinance No. 4941  
Rezoning 7th St.,  
Younger Ave.

Ordinance No. 4941, entitled: "An Ordinance Amending The San Jose Municipal Code By Adding A New Section Thereto To Be Numbered 9102.44z52 Rezoning Certain Real Property On The East Side Of Seventh Street Near Younger Avenue As Herein Described", is read and upon motion of Councilman Hathaway, seconded by Councilman Solari, passed to print:

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

Councilman Foley and  
Councilman Watson  
Re-Enter

Councilman Foley and Councilman Watson now re-enter and are seated.

Proposed Rezoning  
N. 1st St.  
Hobson-Jackson Sts.-  
George St.  
Hearing

This being the time and place fixed for public hearing for the purpose of considering and discussing the proposal, pursuant to Section 9112.1 (c) of the San Jose Municipal Code, for the rezoning to C-3 Commercial District, all or a part of certain real property on both sides of North 1st Street between Hobson-Jackson Streets and the prolongation of the NW line of George Street, said property being now zoned R-3 Residence District, Acting City Clerk reports that no protests to said proposed rezoning have been filed. Garvin W. Hale, Attorney at Law, representing all property owners affected except two, appears in favor

of proposed rezoning and gives reasons therefor. Emery J. Delmas, Attorney at Law, appears and urges that some type of commercial rezoning be adopted for N. 1st Street. Sal Dorsa appears in opposition to proposed rezoning and states that there are several undeveloped areas in Hyde Park District which are now zoned C-2 Commercial District. Genevieve M. Kephart, 870 N. 1st Street, appears in opposition to proposed rezoning because of types of businesses permitted in C-3 Commercial Districts and off-street parking requirements therefor. Orville P. Shier, 44 George Street, and A. E. Carruthers, 55 George Street, appear in opposition to proposed rezoning. John McEnery appears in favor of proposed rezoning, Dr. Ralph Smith, Chairman, City Planning Commission, appears on behalf of said commission. Romulo Haro, 34 George Street, appears in opposition to proposed rezoning. Orville Shier presents and files copy of information sheet which was distributed in the area. Councilman Moore proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Hathaway and adopted:

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

Proposed Rezoning  
N. 1st St.  
Hobson-Jackson Sts.-  
George St.  
Denied

Councilman Hathaway proposes and moves adoption of resolution that proposed rezoning to C-3 Commercial District of all or a part of certain real property on both sides of North 1st Street between Hobson-Jackson Streets and the prolongation of the NW line of George Street be denied, seconded by Councilman Santora and adopted:

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

Proposed Rezoning  
N. 1st St.,  
Hobson-Jackson Sts. to  
Rosa St.  
Hearing

This being the time and place fixed for public hearing for the purpose of considering and discussing the proposal, pursuant to Section 9112.1(b) of the San Jose Municipal Code, for the rezoning to C Commercial District (Professional-Office), all or a part of certain real property on both sides of North 1st Street between Hobson-Jackson Streets and Rosa Street, said property being now zoned R-1 and R-3 Residence Districts, Acting City Clerk presents and files petition in favor of proposed rezoning. Garvin W. Hale, Attorney at Law, presents and files petition opposing proposed rezoning. John McEnery appears in opposition to proposed rezoning. Genevieve M. Kephart, 870 N. 1st St.,

appears in favor of proposed rezoning, and gives reasons therefor. Orville P. Shier, 44 George Street, appears in favor of proposed rezoning. Emery J. Delmas, Attorney at Law, appears on behalf of Juanita Neal and requests that her name be withdrawn from the petition opposing proposed rezoning. Dr. Ralph Smith, Chairman, City Planning Commission, appears and states City Planning Commission reasons for recommending proposed rezoning. William E. Winter, 788 N. 1st Street, appears and requests that his name be withdrawn from the petition opposing proposed rezoning. Garvin Hale, Attorney at Law, states that S. M. Lewis and H. D. Bellrose have stated that they wish their names withdrawn from the petition opposing the proposed rezoning. Councilman Watson proposes and moves adoption of resolution that said public hearing be continued to November 21, 1955, and the Acting City Clerk be directed to cause the protest petition to be checked for sufficiency, seconded by Councilman Solari and adopted:

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

Recess

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

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

Recess

The Council now recesses at 10:12 o'clock P.M.

Reconvene

The Council now reconvenes at 10:18 o'clock P.M. and the

Acting Clerk calls the roll:

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

Cottle & Curtner Aves.  
Issuance of Bonds  
Hearing

This being the time and place fixed for hearing protests why bonds should not be issued upon the security of the unpaid assessments as shown on list prepared and filed by the City Engineer, for the improvement of portions of Cottle Avenue from the center line of Curtner Avenue to the center line of Husted Avenue, also a portion of Curtner Avenue 45.33 feet southwesterly from the center line of Cottle Avenue and at right angles to the center line of Curtner Avenue, Acting City Clerk

reports that no protests have been filed. Mrs. Weist appears, stating no statement of assessment was received for property at 2311 Cottle Avenue, and that she wishes to pay said assessment. Harold J. Flannery, City Engineer, recommends and Councilman Moore proposes and moves adoption of resolution that said hearing be continued to November 21, 1955, seconded by Councilman Hathaway and adopted:

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

31st St.,  
Santa Clara-San Antonio Sts.  
Issuance of Bonds  
Hearing

This being the time and place fixed for hearing protests why bonds should not be issued upon the security of the unpaid assessments as shown on list prepared and filed by the City Engineer, for the improvement of 31st Street from Santa Clara Street to San Antonio Street. Acting City Clerk reports that no protests have been filed. No person is present desirous of being heard. Councilman Foley proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Hathaway and adopted:

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

31st St.,  
Santa Clara-  
San Antonio Sts.  
Resolution No. 11714  
Issuance Of Bonds

Resolution No. 11714, providing for the issuance of street improvement bonds on the security of the unpaid assessment for the improvement of 31st Street from Santa Clara Street to San Antonio Street, is read and upon motion of Councilman Hathaway, seconded by Councilman Foley, adopted:

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

14th St.,  
Mission-Taylor Sts.  
Assessment Rates  
Hearing

This being the time and place fixed for hearing protests to the diagram, assessment and schedule of assessment rates heretofore prepared and filed on October 24, 1955 by the City Engineer, on the improvement of 14th Street from the center of Mission Street to the center of Taylor Street, also a portion of Taylor Street 12' east and west of 14th Street, Acting City Clerk reports that no protests have been filed. No person is present desirous of being heard. Councilman Foley

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

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

14th St.,  
Mission-Taylor Sts.  
Resolution No. 11715  
Approving & Confirming

Resolution No. 11715, approving and confirming assessment and  
and ordering warrant for the improvement of 14th Street from the center  
of Mission Street to the center of Taylor Street, also a portion of  
Taylor Street 12' east and west of 14th Street, is read and upon motion  
of Councilman Foley, seconded by Councilman Hathaway, adopted:

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

Zoning Variance  
Convalescent Home  
976 Riverside Dr.  
Hearing

This being the time and place fixed for hearing, as set on  
October 31, 1955, on deletion of a provision of Resolution No. 8213  
which approves a zoning variance granted by the City Planning Commission  
for use of 976 Riverside Drive as a convalescent home, which provides  
that said zoning variance shall not attach or run with the land, Council-  
man Santora proposes and moves adoption of resolution that said public  
hearing be continued to November 21, 1955, seconded by Councilman  
Hathaway and adopted:

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

Entertainment  
Commission

Council now considers the proposal that the San Jose Entertain-  
ment Commission be abolished. Councilman Moore states that there is  
often no quorum at scheduled meetings of said Commission, and that he  
favors its discontinuance. Councilman Solari states that said Commission  
serves a good purpose and that if the present Entertainment Commission  
members are unable to attend the meetings, other persons should be  
appointed in their place. Emery J. Delmas, member of the San Jose Enter-  
tainment Commission, appears and states that because of good relationships  
with the theater managers of San Jose, the Commission's recommendations  
on playing of motion pictures are normally accepted.

San Pedro St.,  
Maple Ave.-Rosa St.  
Improvement

Communication from George R. Larson, Lt. Col., Infantry,  
-15-

11-14-55

Unit Advisor, United States Army Reserve, requesting improvement of San Pedro Street between Maple Avenue and Rosa Street, is read. Councilman Hathaway proposes and moves adoption of resolution that said communication be referred to the City Planning Commission and City Engineer, for consideration and report, seconded by Councilman Solari and adopted:

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

G. I. Taxi Company  
Application  
Change To Corporation

Application of G. I. Taxi Company, a corporation for an owner's permit to engage in the business of a taxi company is read. Councilman Hathaway proposes and moves adoption of resolution that 8:00 o'clock P.M., November 21, 1955, Council Chambers, City Hall, be fixed as time and place for hearing on the question of whether or not said application shall be granted in accordance with Article VI, Chapter 4 of the San Jose Municipal Code, seconded by Councilman Watson and adopted:

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

Optimist Club  
Of Santa Clara  
Handbill License  
Waiver

Request of Daniel A. Hernandez, Attorney at Law, on behalf of Optimist Club of Santa Clara, that license fee for distribution of handbills be waived in connection with sale of Christmas trees, by said organization is read, and by unanimous consent, filed.

Claim For Damages  
Santa Cruz, Lena

Claim of Lena Santa Cruz for alleged injuries and damages in amount of \$10,000.00 resulting from alleged defect in sidewalk on Autumn Street, is presented. Councilman Watson proposes and moves adoption of resolution that said claim be referred to the City Attorney for consideration, seconded by Councilman Hathaway and adopted:

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

State Division  
Of Highways  
Request For  
Cancellation Of Taxes

Requests of State Division of Highways for cancellation of taxes on one parcel of land acquired for State Highway Route 5 and two parcels of land acquired for State Highway Route 68 are read. Councilman Hathaway proposes and moves adoption of resolution that said requests be referred to the City Attorney for discretionary action, seconded by

Councilman Solari and adopted:

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

Department  
Of Motor Vehicles  
Suspension Of  
Wreckers' Licenses

Notifications from the State of California Department of Motor  
Vehicles of suspension of Wreckers' Licenses issued to Valley Auto Wreckers  
and Atlas Auto Wreckers are presented and, by unanimous consent filed.

Annexation Petition  
Moreland No. 4  
Uninhabited

Petition of Ruth S. Carlson, requesting that pursuant to the  
provisions of "Annexation of Uninhabited Territory Act of 1939", certain  
uninhabited territory described therein be annexed to the City of San  
Jose, is presented. Councilman Hathaway proposes and moves adoption  
of resolution that said petition be referred to the Department of Planning  
for report on its sufficiency, seconded by Councilman Watson, and adopted:

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

Proposed Rezoning  
4 Corners  
S. 3rd & E. Reed Sts.

Recommendation of the City Planning Commission, pursuant to  
Section 9112.1(b) of the San Jose Municipal Code, that the four corners  
of South 3rd Street and E. Reed Street, be rezoned from R-4 Residence  
District to C-3 Commercial District, is presented. Councilman Watson  
proposes and moves adoption of resolution that 8:00 o'clock P.M., December  
12, 1955, Council Chambers, City Hall, be fixed as time and place, for  
the purpose of considering and discussing the proposed rezoning, seconded  
by Councilman Moore and adopted:

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

Proposed  
Additional Zoning  
One-Family Districts

Recommendation of the City Planning Commission, pursuant to  
Section 9112.1 (b) of the San Jose Municipal Code, that three one-family  
districts be added to the zoning regulations as set forth in Article IX,  
Chapter I of said Code, is presented. Councilman Watson proposes and  
moves adoption of resolution that 8:00 o'clock P.M., December 12, 1955,  
Council Chambers, City Hall, be fixed as time and place, for the purpose  
of considering and discussing the proposed addition, seconded by Council-  
man Moore and adopted:

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

Approve ~~Article~~  
Junipero Serra Freeway

Recommendation of the City Planning Commission that the "Branham Road Route" be recommended to the State Division of Highways as the best and most feasible route for the location of the Junipero Serra Freeway across the southwesterly portion of the City of San Jose, is presented. Michael H. Antonacci, Director of Planning, states said recommendation has the approval of the County Planning Commission and recommends, and Councilman Hathaway proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Solari and adopted:

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

Sign Over Official  
Plan Line  
454 Willow Street

Recommendation of the City Planning Commission, by authority of Section 8612.1 of the San Jose Municipal Code, that the Rundle Sign Company be permitted to erect a neon lighted sign extending 14 feet beyond the Official Plan Line at 454 Willow Street, in accordance with plot plan on file in the Department of Building, is presented. Councilman Hathaway proposes and moves adoption of resolution that revocable permit be granted pursuant to Section 8621 of the San Jose Municipal Code, seconded by Councilman Santora and adopted:

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

Rear Yard  
Adjustment  
12th & Humboldt Sts.

Resolution of the City Planning Commission, by authority of Section 9107.1 of the San Jose Municipal Code, granting a rear yard adjustment to 5 feet at northwesterly corner of South 12th Street and East Humboldt Street, to permit garages to be attached to a proposed duplex structure, in accordance with attached plot plan, is presented. Councilman Watson proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Santora and adopted:

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

Rear Yard And  
Front Yard  
Adjustment  
275 N. 20th St.

Resolution of the City Planning Commission, by authority Section 9107.1 of the San Jose Municipal Code, granting a rear yard adjustment to 14 feet and a front yard adjustment to 4 feet at 275 N. 20th Street, to permit a single family dwelling to be constructed, in accordance with attached plot plan, is presented. Councilman Watson proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Santora and adopted:

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

Final Zoning Report  
Cherryhurst No. 2  
Resolution No. 11716

Resolution of the City Planning Commission, adopted November 8, 1955, entitled: "Resolution Submitting To Council Final Report On Zoning Annexed Area Known As 'Cherryhurst No. 2'", is presented. Resolution No. 11716, directing public hearing on final report of the City Planning Commission on zoning annexed area known as "Cherryhurst No. 2", is read and upon motion of Councilman Hathaway, seconded by Councilman Foley, adopted:

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

Final Zoning Report  
Ross No. 3  
Resolution No. 11717

Resolution of the City Planning Commission, adopted November 8, 1955, entitled: "Resolution Submitting To Council Final Report On Zoning Annexed Area Known As 'Ross No. 3'", is presented. Resolution No. 11717, directing public hearing on final report of the City Planning Commission on zoning annexed area known as "Ross No. 3", is read and upon motion of Councilman Hathaway, seconded by Councilman Foley, adopted:

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

Tentative Zoning Report  
Lone Hill No. 1  
Resolution No. 11718

Resolution of the City Planning Commission, adopted November 8, 1955, entitled: "Resolution Submitting To Council Tentative Report On Zoning Annexed Area Known As 'Lone Hill No. 1'", is presented. Resolution No. 11718 directing public hearing on tentative report of City Planning Commission on zoning annexed area designated "Lone Hill No. 1", and providing for notice of such hearing, is read and, upon motion of

Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Tentative Zoning Report Resolution of the City Planning Commission, adopted November  
Broadway No. 2  
Resolution No. 11719 8, 1955, entitled: "Resolution Submitting To Council Tentative Report

On Zoning Annexed Area Known As 'Broadway No. 2"', is presented. Resolu-  
tion No. 11719 directing public hearing on tentative report of City  
Planning Commission on zoning annexed area designated "Broadway No. 2",  
and providing for notice of such hearing is read and, upon motion of  
Councilman Hathaway, seconded by Councilman Foley, adopted:

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

Tentative Zoning Report Resolution of the City Planning Commission, adopted November  
Easterbrook No. 2  
Resolution No. 11720 8, 1955, entitled: "Resolution Submitting To Council Tentative Report

On Zoning Annexed Area Known As 'Easterbrook No. 2"', is presented.  
Resolution No. 11720 directing public hearing on tentative report of  
City Planning Commission on zoning annexed area designated "Easterbrook  
No. 2", and providing for notice of such hearing, is read and, upon mo-  
tion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Foxworthy No. 2  
Zoning

Recommendation of the City Planning Commission, that proposed  
emergency ordinance, entitled: "An Emergency Ordinance Classifying  
Into Districts The Recently Annexed Area Known As Foxworthy No. 2", and  
proposed resolution requiring the City Planning Commission to make ten-  
tative report on zoning annexed area designated Foxworthy No. 2, be  
adopted, is read. Councilman Hathaway proposes and moves adoption of  
resolution that said recommendation be approved, seconded by Councilman  
Solari and adopted:

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

Ordinance No. 4942  
Emergency Zoning  
Annexation  
Foxworthy No. 2  
(Uninhabited)

Ordinance No. 4942, entitled: "An Emergency Ordinance Classifying Into Districts The Recently Annexed Area Known As Foxworthy No. 2", is read and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted as an ordinance for the immediate preservation of the public peace, health and safety:

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

Resolution No. 11721  
Zoning Annexed Area  
Foxworthy No. 2

Resolution No. 11721 requiring City Planning Commission to make tentative report on zoning annexed area known as "Foxworthy No. 2", is presented 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.

Maypark No. 6  
Zoning

Recommendation of the City Planning Commission, that proposed emergency ordinance, entitled: "An Emergency Ordinance Classifying Into Districts The Recently Annexed Area Known As Maypark No. 6", and proposed resolution requiring the City Planning Commission to make tentative report on zoning annexed area designated Maypark No. 6, be adopted, is read. Councilman Hathaway proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Solari and adopted:

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

Ordinance No. 4943  
Emergency Zoning  
Annexation  
Maypark No. 6  
(Uninhabited)

Ordinance No. 4943, entitled: "An Emergency Ordinance Classifying Into Districts The Recently Annexed Area Known As Maypark No. 6", is read and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted as an ordinance for the immediate preservation of the public peace, health and safety:

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

Resolution No. 11772  
Zoning Annexed Area  
Maypark No. 6

Resolution No. 11772 requiring City Planning Commission to make tentative report on zoning annexed area known as "Maypark No. 6", is pre-

ented 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.

"Y" Rating  
Sr. Accountant

Councilman Hathaway reports that the Committee on Finance recommends that "Y" salary rating for Senior Accountant (154) be abolished and that the salary range for said classification be established as range 20. Councilman Moore, proposes and moves adoption of resolution that recommendation of the Committee on Finance be accepted and that the City Attorney prepare and submit a proposed ordinance which will fix the salary range for Senior Accountant Auditor (154) a. \$476. b. \$503. c. \$532. d. \$563. and e. \$595., seconded by Councilman Watson and adopted:

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

Employee Health Insurance

Councilman Hathaway reports that the Committee on Finance recommends that in connection with proposed health plan for the city employees that no broker of record be appointed until a carrier is picked by employees. Councilman Moore, proposes and moves adoption of resolution that said recommendation be accepted, seconded by Councilman Santora, and adopted:

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

Monthly Report

Report of the Fire Department for September 1955 is read and filed.

Transportation Allowance  
(Anthony J. Russo)

Request of Chief of Police for a car allowance for Anthony J. Russo, Police Officer, is presented. Councilman Moore, proposes and moves adoption of resolution that said request be referred to the City Manager for a report on November 21, 1955, seconded by Councilman Santora, and adopted:

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

Payment Authorized

Certificate of H. J. Flannery, City Engineer, approved by A. P. Hamann, City Manager, that there is due and payable to William D. Lotz on contract for professional services in connection with the San Jose Bridge Program, a first payment in the amount of \$7,286.60, is read. Councilman Watson proposes and moves adoption of resolution that said payment be authorized, seconded by Councilman Santora and adopted:

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

Terminate Tenancy  
4th & St. John Sts.  
Resolution No. 11723

Resolution No. 11723, terminating month to month tenancy of Charles J. Saccomanno on city owned property on the northwest corner of 4th and St. John Streets, is presented by the City Attorney and upon motion of Councilman Hathaway, seconded by Councilman Watson, adopted:

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

Ordinance No. 4944  
Dedicating 1 Foot Strip  
Fuschia Dr.

Ordinance No. 4944, entitled: "An Ordinance Of The City Of San Jose Dedicating Certain Described Municipally-Owned Property For Street And Related Municipal Purposes", is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Moore, passed to print:

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

Ordinance No. 4945  
Amending Sections Of  
Ordinance No. 4858  
Appropriations

Ordinance No. 4945, entitled: "Ordinance Of The City Of San Jose Amending Sections 2, 3, 6 and 9 Of Ordinance No. 4858 Which Appropriates Certain Sums From The General Fund To Various City Departments And Offices For The Fiscal Year 1955-1956 For Various Purposes And Authorizes The Expending Of Said Sums, Reducing Various Appropriations Made Therein, Increasing Other Appropriations Made Therein; Adding To Said Ordinance No. 4858 A Section Designated 9a Relating To Expenses For Maintenance Of Municipal Parking Sites Not Used For Parking Purposes", 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. 4946  
Transferring Funds

Ordinance No. 4946, entitled: "An Ordinance Of The City Of San Jose Transferring The Sum Of \$5,170.85 From The Store Fund To The General Fund; Transferring The Sum Of \$30,000.00 From The General Fund To The Public Improvement Fund And Appropriating \$12,500.00 From The Public Improvement Fund To The Public Works Department For The Purchase From And Installation And Connection By The Pacific Gas And Electric Company Of Power Circuits In New Subdivisions", is presented by 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. 4947  
Earl Smart  
Appraisal Fee

Ordinance No. 4947, entitled: "An Ordinance Of The City Of San Jose Appropriating Two Thousand Three Hundred Twenty Dollars (\$2,320.00) From The 1954 Off Street Parking Construction Fund For Payment Of Appraisal Costs Incurred In Connection With The Acquisition Of Off Street Parking Property", 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. 11724  
Authorize Agreement  
Sanitation District No. 3

Resolution No. 11724, authorizing the Mayor and City Manager to execute an agreement with Sanitation District No. 3 for the sharing of expenses of construction of Unit No. 1 of the Pearl Avenue sewer 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.

Ordinance No. 4948  
7 City-Owned Buildings

Ordinance No. 4948, entitled: "Ordinance Of The City Of San Jose Authorizing The Sale Of Certain City-Owned Buildings And Authorizing And Directing The Mayor And City Manager To Execute An Agreement For The Sale And Removal Of Said Buildings", is presented by the City Attorney,  
-24- 11-14-55

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. 11725  
7 City-Owned Buildings

Resolution No. 11725, entitled: "Resolution Of The Council Of  
The City Of San Jose Finding And Determining That Certain City-Owned  
Buildings Or Portions Thereof Are Not Needed For Nor Adapted To Municipal  
Purposes And That The Public Interest Will Be Served By Their Sale At  
Public Auction And Directing A Notice Of Such Intended Sale And Of The  
Time And Place Of Said Auction To Be Published", said buildings being  
situated at 84 N. San Pedro Street, 97 N. Market Street, 85 N. Market  
Street, 77 N. 3rd Street, 61 N. 3rd Street, 55 N. 3rd Street, and 43-49  
N. 3rd Street., is presented by the City Attorney and upon motion of  
Councilman Watson, seconded by Councilman Hathaway and adopted:

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

Ordinance No. 4949  
Authorize Purchase  
Parcel of Hart Property

Ordinance No. 4949, entitled: "An Ordinance Of The City Of  
San Jose Finding And Determining That The Public Interest And Con-  
venience Requires The Purchase By The City Of Certain Real Property Sit-  
uate In Said City At The Northwest Corner Of Naglee Avenue And The Ala-  
meda; Authorizing The Purchase Of Said Property; Appropriating Ten  
Thousand Dollars (\$10,000.00) From The Public Improvement Fund For The  
Purchase Of Said Property, And Authorizing The City Manager To Expend  
Said Money For Said Purpose", is presented by the City Attorney and upon  
motion of Councilman Hathaway, seconded by Councilman Moore, passed  
to print:

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

False Arrest  
Insurance Renewal

A. P. Hamann, City Manager, requests authorization to purchase  
a renewal of the false arrest insurance policy from Lloyds of London for  
the year November 23, 1955 to November 23, 1956 at a premium of \$1,989.50.  
Councilman Hathaway proposes and moves adoption of resolution that the  
City Manager be so authorized, seconded by Councilman Watson and adopted:

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

Request For Extension  
Charles J. Cali

A. P. Hamann, City Manager presents request of Charles J. Cali for 90 day extension of all dates set forth in Paragraph IX of the agreement for the exchange of properties between Cali and the City of San Jose, dated September 15, 1955, making date for delivery of possession of the property without penalty July 1, 1956 and the final date for delivery of possession with penalty August 15, 1956. Councilman Watson proposes and moves adoption of resolution directing the City Attorney to prepare and submit a proposed resolution providing for such extension, seconded by Councilman Hathaway and adopted:

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

Volunteers of America  
Chimneys on Streets

A. P. Hamann, City Manager, presents request of The Volunteers of America to place six chimneys on the streets to solicit funds for its Christmas program. Councilman Santora proposes and moves adoption of resolution that said request be granted, subject to approval of property owners, in front of whose buildings the chimneys are to be placed, seconded by Councilman Moore and adopted:

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

Boxing Arena Mat

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 a mat for the boxing arena at the Civic Auditorium, seconded by Councilman Santora and adopted:

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

Water Conservation  
Meeting  
11-22-55

A. P. Hamann, City Manager, advises that the Santa Clara County Water Conservation District desires to meet with the Committee of the Whole at 4:00 o'clock P.M., November 22, 1955.

Amendment  
C-L Commercial District  
Off-Street Parking  
Regulations

Mayor Starbird recommends and Councilman Watson proposes and moves adoption of resolution that the feasibility of amending Section 9103.4b(4) of the San Jose Municipal Code to permit off-street parking within Official Plan Lines be referred to City Planning Commission, for

consideration and report, seconded by Councilman Hathaway and adopted:

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

Commissioners  
Civil Service  
Commission  
W. F. Weston  
Paul G. Johnston

Nominations are now declared in order for the office of Commissioner, Civil Service Commission, two to be appointed for a six year term, vice Paul G. Johnston and W. F. Weston, terms expiring December 1, 1955.

Councilman Watson nominates Paul G. Johnston and W. F. Weston, and nominations are seconded by Councilman Hathaway. Councilman Moore nominates Robert Simmons, and nomination is seconded by Councilman Solari. Councilman Watson proposes and moves adoption of resolution that Paul G. Johnston and W. F. Weston be declared appointed to the office of Commissioner, Civil Service Commission, six year term, seconded by Councilman Hathaway and adopted:

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

Off-Street Parking  
Willow Glen

A. P. Hamann, City Manager, recommends and Councilman Moore proposes and moves adoption of resolution that the City Manager be authorized to negotiate for the purchase of certain property on the W. side of Lincoln Avenue between Meredith and Minnesota Avenues, to provide for access to existing off-street parking areas, seconded by Councilman Foley and adopted:

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

Alcoholic Beverage  
Control Act

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

Adjourn

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

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

Adjourn

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

*George Starbird*  
GEORGE STARBIRD  
MAYOR

ATTEST: *Francis L. Greiner*  
FRANCIS L. GREINER  
ACTING CITY CLERK

Friday

San Jose, California

November 18, 1955

*Mailed 12/2/55*

The Council of the City of San Jose convenes this day in special session at 12:00 o'clock Noon., in the office of the City Manager, City Hall Annex, 144 Park Avenue, San Jose, California, in accordance with the provisions of Section 49 of the Charter and pursuant to the call of the Mayor, and on six hours written notice to all of the members of the City Council, evidenced by Notice of Special Meeting and Consent To Holding Of Council Meeting And Acknowledgment Of Receipt Of Notice Of Such Hearing, heretofore filed with the City Clerk, reading as follows and bearing the signatures of the members of the City Council:

NOTICE OF SPECIAL MEETING

To: Councilmen William J. Foley, Parker L. Hathaway, Joe Santora, Louis S. Solari, Paul Moore, Fred Watson and Mayor George Starbird.

A special meeting of the Council of the City of San Jose is hereby called and will be held at 12:00, Noon, Friday, November 18, 1955, in the office of the City Manager, 144 Park Avenue, San Jose, California, for the purpose of considering, discussing and/or determining whether the Council of the City of San Jose shall take action providing for the termination of proceedings for the proposed annexation of that certain territory known as Johnson No. 1.

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

(Signed) George Starbird  
Mayor

November 17, 1955

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

Receipt is hereby acknowledged of "Notice of Special Meeting", the same having been received at least six hours prior to 12:00 Noon, Friday, November 18, 1955.

WILLIAM J. FOLEY	(Signed)	PARKER L. HATHAWAY	(Signed)
FRED WATSON	(Signed)	GEORGE STARBIRD	(Signed)
JOE SANTORA	(Signed)	PAUL MOORE	(Signed)
LOUIS S. SOLARI	(Signed)		

Roll Call

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

Minutes

Councilman Watson proposes and moves adoption of resolution that Minutes of regular sessions of May 3, 10, 18, 1954, and Oct. 31, 1955, for approval; May 17, 24, June 1, 7, 14, 21, 28, July 6, 12, 19, 26, Aug. 2, 6, 9, 16, 23, 26, 30, Sept. 7, 13, 20, 27, Oct. 4, 11, 15, 25, Nov. 1, 8,

15, 22, Dec. 6, 7, 13, 20, 27, 1954; Jan. 3, 10, 17, 24, 31, Feb. 7,  
14, 21, 23, 28, Mar. 7, 4 P.M. & 8 P.M. Mar. 14, 21, 22, 28, 31, Apr.  
4, 11, 18, 25, May 2, 9, 16, 18, 23, 31, June 6, 13, 20, 27, July 5,  
11, 18, 25, Aug. 1, 4, 8, 15, 22, 29, Sept. 6, 12, 14, 26, 28, Oct. 3,  
4, 10, 17, Nov. 7 and 14, 1955, be deferred, seconded by Councilman  
Santora and adopted:

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

Johnson No. 1  
Uninhabited  
Annexation  
Discontinue  
Resol. No. 11726

A. P. Hamann, City Manager, states that in connection with the  
public hearing to be held at 8:00 o'clock P.M., Council Chambers, City  
Hall, on the proposed annexation of uninhabited territory designated  
Johnson No. 1, it is anticipated that the Board of Supervisors, County  
of Santa Clara, will file a protest to said proposed annexation and that  
said protest may be sufficient to require that further proceedings be  
not taken, and therefore recommends that said proceedings be discontinued.  
Resolution No. 11726, entitled: "Resolution Of The Council Of The City  
Of San Jose Terminating Proceedings For The Annexation To Said City  
Of The Territory Designated 'Johnson No. 1', Prior To The Date Set For  
Hearing Of Protests To Said Annexation", is presented by Ferdinand P.  
Falla, 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.

Adjourn

Councilman Solari proposes and moves adoption of resolution  
that the Council adjourn, to meet again at 7:00 o'clock P.M., November  
21, 1955, seconded by Councilman Foley and adopted:

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

Adjourn

Council now adjourns at 12:30 o'clock P.M.

*George Starbird*  
GEORGE STARBIRD  
MAYOR

ATTEST: *Francis L. Greiner*  
FRANCIS L. GREINER  
ACTING CITY CLERK

Monday

San Jose, California

November 21, 1955

The Council of the City of San Jose convenes this day in regular session at 7:00 o'clock P.M.

Roll Call

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

Invocation

Invocation is given by Mayor George Starbird.

Minutes

Councilman Santora proposes and moves adoption of resolution that consideration of the Minutes of regular sessions of May 3, 10, 18, 1954 and Oct. 31, 1955, having been read by each Councilman, be approved as heretofore read, and consideration of the Minutes of regular sessions of May 17, 24, June 1, 7, 14, 21, 28, July 6, 12, 19, 26, Aug. 2, 6, 9, 16, 23, 26, 30, Sept. 7, 13, 20, 27, Oct. 4, 11, 15, 25, Nov. 1, 8, 15, 22, Dec. 6, 7, 13, 20, 27, 1954; Jan. 3, 10, 17, 24, 31, Feb. 7, 14, 21, 23, 28, Mar. 7, 4 P.M. & 8 P.M. Mar. 14, 21, 22, 28, 31, Apr. 4, 11, 18, 25, May 2, 9, 16, 18, 23, 31, June 6, 13, 20, 27, July 5, 11, 18, 25, Aug. 1, 4, 8, 15, 22, 29, Sept. 6, 12, 14, 26, 28, Oct. 3, 4, 10, 17, Nov. 7 and 14, 1955, 12:00 o'clock M. November 18, 1955, be deferred, seconded by Councilman Solari and adopted:

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

Having expressed his opinion that he is disqualified with reference to Minutes of May 3, 10, and 18, 1954:

Not Voting: Councilmen - Moore.

Noes: Councilmen - None.

Absent: Councilmen - None.

Ordinance No. 4904

Adopt Portion

Uniform Plumbing Code that final adoption of Ordinance No. 4904, which adopts portions of

195<sup>5</sup> Edition

5

Uniform Plumbing Code, 195<sup>5</sup> Edition, passed to print November 14, 1955,

be deferred to December 12, 1955, seconded by Councilman Santora and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - None.

Ordinance No. 4938

Cast Iron

And Clay Tile Pipe that final adoption of Ordinance No. 4938, which amends the San Jose Municipal Code regarding use of cast iron and clay tile pipe for house

For House Sewers

sewers, passed to print November 14, 1955, be deferred to December 12,

1955, seconded by Councilman Santora and adopted:

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

Ordinance No. 4936      Ordinance No. 4936, entitled: "An Ordinance Of The City Of San  
Lease Airport Agricultural Lands  
(Marchese Farms)      Jose Leasing Certain Real Property Of The City,, Which Is Not Presently

Needed For Municipal Purposes To The Highest Responsible Bidder Therefor;  
And Authorizing The Mayor To Execute Form Of Lease", passed to print  
November 14, 1955, is given final reading 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.

Ordinance No. 4937      Ordinance No. 4937, entitled: "An Ordinance Of The City Of  
Lease      San Jose Leasing Certain Real Property Of The City, Which Is Not Presently  
Airport Lands      And Dwellings  
(Marchese Farms)      Needed For Municipal Purposes To The Highest Responsible Bidder Therefor;

And Authorizing The Mayor To Execute Form Of Lease", passed to print  
November 14, 1955, is given final reading 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.

Ordinance No. 4939      Councilman Hathaway proposes and moves adoption of resolution  
Amend Code      that final adoption of Ordinance No. 4939, which amends the San

Jose Municipal Code regarding addition to Electrical Code, passed to  
print November 14, 1955, be deferred to December 12, 1955, seconded by  
Councilman Santora and adopted:

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

Ordinance No. 4944      Ordinance No. 4944, entitled: "An Ordinance Of The City Of  
Dedicate Portion      San Jose Dedicating Certain Described Municipally-owned Property For  
Fuchsia Drive      Street And Related Municipal Purposes", passed to print November 14, 1955,

is given final reading and upon motion of Councilman Foley, seconded by  
Councilman Moore, adopted:

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

Ordinance No. 4945  
Amend Ord. 4858

Ordinance No. 4945, entitled: "Ordinance Of The City Of San Jose  
Annual Appropriations Amending Sections 2, 3, 6 and 9 Of Ordinance No. 4858 Which Appropri-

ates Certain Sums From The General Fund To Various City Departments And  
Offices For The Fiscal Year 1955-56 For Various Purposes And Authorizes  
The Expending Of Said Sums, Reducing Various Appropriations Made Therein,  
Increasing Other Appropriations Made Therein; Adding To Said Ordinance No.  
4858 A Section Designated 9a Relating To Expenses For Maintenance Of Mu-  
nicipal Parking Sites Not Used For Parking Purposes", passed to print  
November 14, 1955, is given final reading and upon motion of Councilman  
Hathaway, seconded by Councilman Foley, adopted:

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

Ordinance No. 4946  
Appropriate \$12,500 For  
Power Circuits  
Transfer Of Funds

Ordinance No. 4946, entitled: "An Ordinance Of The City Of San  
Jose Transferring The Sum Of \$5,170.85 From The Store Fund To The General  
Fund; Transferring The Sum Of \$30,000.00 From The General Fund To The  
Public Improvement Fund And Appropriating \$12,500.00 From The Public Im-  
provement Fund To The Public Works Department For The Purchase From And  
Installation And Connection By The Pacific Gas And Electric Company Of  
Power Circuits In New Subdivisions", passed to print November 14, 1955,  
is given final reading and upon motion of Councilman Santora, seconded by  
Councilman Solari, adopted:

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

Ordinance No. 4947  
Appropriate \$2,320  
Appraisal Costs  
Off-Street Parking  
Property

Ordinance No. 4947, entitled: "An Ordinance Of The City Of San  
Jose Appropriating Two Thousand Three Hundred Twenty Dollars (\$2,320.00)  
From The 1954 Off Street Parking Construction Fund For Payment Of Appraisal  
Costs Incurred In Connection With The Acquisition Of Off Street Parking  
Property", passed to print November 14, 1955, is given final reading 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.

Ordinance No. 4948  
Authorize Sale  
7 City-Owned Buildings

Ordinance No. 4948, entitled: "Ordinance Of The City Of San  
Jose Authorizing The Sale Of Certain City-owned Buildings And Author-  
izing And Directing The Mayor And City Manager To Execute An Agreement  
For The Sale And Removal Of Said Buildings", passed to print November 14,  
1955, is given final reading and upon motion of Councilman Solari, seconded  
by Councilman Foley, adopted:

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

Ordinance No. 4949  
Appropriate \$10,000  
Authorize Purchase  
Parcel 3, Hart Property

Ordinance No. 4949, entitled: "An Ordinance Of The City Of  
San Jose Finding And Determining That The Public Interest And  
Convenience Requires The Purchase By The City Of Certain Real Property  
Situate In Said City At The Northwest Corner Of Naglee Avenue And The  
Alameda; Authorizing The Purchase Of Said Property; Appropriating Ten  
Thousand Dollars (\$10,000.00) From The Public Improvement Fund For The  
Purchase Of Said Property, And Authorizing The City Manager To Expend  
Said Money For Said Purpose", passed to print November 14, 1955, is given  
final reading and upon motion of Councilman Moore, seconded by Councilman  
Hathaway, adopted:

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

Proposed Moorpark Park  
Development

A. P. Hamann, City Manager, reports that in connection with  
the proposed development of Moorpark Park, that the Bethel Church has  
purchased property on the NW corner of Moorpark Avenue and Monroe Street  
and proposes that approximately four acres north of the property now  
owned by the City be purchased and that an exchange of property be ne-  
gotiated with the Bethel Church. Councilman Moore proposes and moves  
adoption of resolution that City Manager be authorized to negotiate  
for the purchase and exchange of said property, seconded by Councilman  
Santora and adopted:

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

Proposed  
Health Center Building  
Type Of Construction

A. P. Hamann, City Manager, reports that Robert V. Lotz, City Building Official, estimates that if the proposed Health Center Building is constructed of reinforced concrete, the total estimated cost of \$280,000 for frame construction will be increased by \$25,000. City Manager reports that Federal and State funds amounting to two-thirds of the cost of said building up to a total cost of \$300,000.00 will be available. Councilman Watson proposes and moves adoption of resolution that the proposed Health Center Building be constructed of reinforced concrete, seconded by Councilman Solari and adopted:

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

Automobile Allowance  
Proposed Changes  
Resolution No. 11727

A. P. Hamann, City Manager, presents and files recommendations as to changes in the list of position classifications authorized by Resolution No. 9399 to receive automobile allowances, and to deletion of position classifications of City Manager, Assistant Park Superintendent and Assistant Director of Civilian Defense, and addition of position classifications of Purchasing Agent, Police Officer and Elementary School Supervisor to said list. Resolution No. 11727, entitled: "Resolution Providing For Transportation Allowances For Private Automobiles, And Repealing All Resolutions In Conflict Herewith", is read and upon motion of Councilman Watson, seconded by Councilman Moore adopted:

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

Ordinance No. 4950  
Increase In Salary  
Sr. Accountant

Ordinance No. 4950, entitled: "An Ordinance Of The City Of San Jose Amending Section 5.20 Of Ordinance No. 4370 By Repealing Said Section And Adding A New Section To Be Effective From And After December 1, 1955, Providing For An Increase In Salary For The Classification Entitled 'Senior Accountant'; And Repealing All Ordinances And/Or Parts Of Ordinances Not Adopted By Vote Of The People In Conflict Herewith", is read and upon motion of Councilman Hathaway, seconded by Councilman

Moore, passed to print:

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

Ordinance No. 4951  
Abolish "Y" Rate  
Sr. Accountant

Ordinance No. 4951, entitled: "An Ordinance Of The City Of  
San Jose Amending Section 6 Of Ordinance No. 4370 By Repealing Said  
Section And Adding A New Section To Be Effective From And After December  
1, 1955, Deleting Provision For The Receipt By An Employee Of A Salary  
In Excess Of That Provided For By The Maximum Salary Step Of The Salary  
Range Established For His Class; And Repealing All Ordinances And/Or  
Parts Of Ordinances Not Adopted By Vote Of The People In Conflict Here-  
with", is read and upon motion of Councilman Hathaway, seconded by  
Councilman Moore, passed to print:

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

Extension Of Time  
Call Agreement

Resolution No. 11728, extending time for delivery of certain  
Resolution No. 11728 real property to the City of San Jose, is presented by Robert J.

Costello, Assistant City Attorney, and upon motion of Councilman Watson,  
seconded by Councilman Hathaway, adopted:

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

1 Rotary Hoe  
Award

A. P. Hamann, City Manager, reports that the bid of Emery  
Supply Co., opened November 14, 1955, is the lowest responsible bid for  
furnishing one Rotary Hoe and recommends that said bid be accepted.  
Councilman Watson proposes and moves adoption of resolution that said  
bid of Emery Supply Co. be accepted and that contract be awarded for fur-  
nishing said equipment, seconded by Councilman Moore and adopted:

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

Improvement  
Leigh Ave.  
Tract 1421, Cambrian Acres  
Award

Harold J. Flannery, City Engineer, reports that the bid of  
A. J. Raisch Paving Company, opened November 14, 1955, is the  
only bid for the improvement of Leigh Avenue in and adjacent to Tract  
1421, Cambrian Acres, Unit 1, and recommends that said bid be accepted.

Councilman Watson proposes and moves adoption of resolution that said bid of A. J. Raisch Paving Company be accepted and that contract be awarded for said improvement, seconded by Councilman Santora and adopted:

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

Moreland No. 4  
Uninhabited Annexation  
Resol. No. 11729

Council now considers petition of Ruth S. Carlson, filed November 14, 1955, requesting that pursuant to the provisions of the "Annexation of Uninhabited Territory Act of 1939 of the State of California", certain uninhabited territory designated Moreland No. 4, described therein be annexed to the City of San Jose. Michael H. Antonacci, Director of Planning is called by the Assistant City Attorney, sworn, and testifies that a copy of the boundary description of said proposed annexation was filed with the Boundary Commission of the County of Santa Clara and that said description was approved by said commission and further, that the Department of Planning has determined that the petitioner owns more than one-fourth of the area proposed to be annexed with respect to both area and assessed valuation. Robert J. Costello, Assistant City Attorney, presents and files: Affidavit of Irving L. Ryder that the map attached thereto truly shows the boundaries of said territory, that said territory is contiguous to the City of San Jose and that said territory contains 32.23 acres; Affidavit of W. E. Rodgers, Public Administration Specialist II, that he examined the County Registration of Voters of Santa Clara County and determined that no registered voters resided within said territory on November 14, 1955; Affidavit of W. E. Rodgers, Public Administration Specialist II, that he has examined the last equalized assessment roll of the County of Santa Clara, California, for the fiscal year 1955-1956, to obtain information set forth on attached document entitled "Separate Parcels Of Property In Moreland No. 4" and that said information is complete and correct; and communication from California Pacific Title Insurance Company stating that said petitioner owns more than one-fourth of the land of Moreland No. 4 by area and by assessed valuation as shown on the last equalized assessment roll of Santa Clara County, California. Resolution No. 11729 giving notice of proposed annexation of certain uninhabited

territory designated Moreland No. 4 to the City of San Jose and fixing 8:00 o'clock P.M., January 3, 1956, Council Chambers, City Hall, as the time and place for hearing protests thereto, is read and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

McLaughlin No. 2  
Notice of Hearing  
Resolution No. 11730

Resolution No. 11730, entitled: "Resolution Of The Council Of The City Of San Jose Giving Notice Of The Proposed Annexation Of Certain Uninhabited Territory To Said City; Describing Said Territory And Designating It By The Name "McLaughlin No. 2"; Making Certain Findings Respecting Said Proposal; Giving Notice Of A New Time And Place Said Council Will Hear Protests Thereto; And Repealing Resolution No. 11623 Which Had Heretofore Set A Different Date For Said Hearing", is presented by the Assistant 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.

Proposed Extension  
Bellerose Ave.  
Emory St.-Forest Ave.

Recommendation of the City Planning Commission that Bellerose Avenue be extended from Forest Avenue to Emory Street in accordance with attached plan is presented. Councilman Watson proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Solari and adopted:

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

Raze  
City Hall Building

Recommendation of the City Planning Commission, pursuant to Section 94 of the Charter, that the City Hall Building located on Market Street at San Antonio Street be razed as soon as possible after the completion of the new City Hall Building on North 1st Street at Rosa Street, is presented. Councilman Watson proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Moore and adopted:

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

Directional Signs  
O'Connor Hospital

Recommendation of the City Planning Commission that request of O'Connor Hospital for permission to erect 4 directional signs between the sidewalk and curb, 1) at the northeast corner of Stevens Creek Road and O'Connor Drive, 2) on the south side of Stevens Creek Road opposite O'Connor Drive, 3) on the east side of Bascom Avenue opposite Forest Avenue and 4) at the southwest corner of Bascom Avenue and Forest Avenue, be granted subject to conditions, is read. Councilman Moore proposes and moves adoption of resolution that said recommendation be approved with respect to those locations which are within the limits of the City of San Jose, seconded by Councilman Santora and adopted:

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

Casey No. 1A  
Zoning

Recommendation of the City Planning Commission, that proposed emergency ordinance, entitled: "An Emergency Ordinance Classifying Into Districts The Recently Annexed Area Known As Casey No. 1A", and proposed resolution requiring the City Planning Commission to make tentative report on zoning annexed area designated Casey No. 1A, be adopted, is read. Councilman Hathaway proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Watson and adopted:

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

Ordinance No. 4952  
Emergency Zoning  
Annexation  
Casey No. 1A  
(Uninhabited)

Ordinance No. 4952, entitled: "An Emergency Ordinance Classifying Into Districts The Recently Annexed Area Known As Casey No. 1A," is read and upon motion of Councilman Hathaway, seconded by Councilman Watson, adopted as an ordinance for the immediate preservation of the public peace, health and safety:

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

Resolution No. 11731  
Zoning Annexed Area  
Casey No. 1A

Resolution No. 11731 requiring the City Planning Commission to make tentative report on zoning annexed area known as "Casey No. 1A", is presented and upon motion of Councilman Hathaway, seconded by Councilman Watson, adopted:

Sections To Be Numbered 8735, 8736 and 8737, Relating To The Numbering Of Houses And Street Entrances To Buildings In Those Portions Of Districts Annexed To The City Of San Jose Designated As Maypark No. 4, Maypark No. 5, Burbank No. 5, Sunol No. 2, Canoas No. 1, Hamilton No. 2A, Bascom No. 21, Maywood No. 1, Moreland No. 2A, Moreland No. 3, Winchester No. 1, Winchester No. 3, Boynton No. 1, South Willow Glen No. 18, South Willow Glen No. 19, Ross No. 2, South Willow Glen No. 22, Curtner No. 1, Foxworthy No. 1, Union No. 1, Union No. 2, Lonehill No. 1, And Carlton No. 1", is presented by the Assistant City Attorney and upon motion of Councilman Watson, seconded by Councilman Santora, passed to print:

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

Sanitary Sewer  
Installation Rates  
Ordinance No. 4954

Ordinance No. 4954, entitled: "An Ordinance Of The City Of San Jose Amending Sections 7324, 7325 and 7326 Of The San Jose Municipal Code Relating To Sanitary Sewer Lateral Installation Rates, And Repealing All Ordinances And/Or Parts Thereof In Conflict Herewith", is presented by the Assistant City Attorney and upon motion of Councilman Solari, seconded by Councilman Watson, passed to print:

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

Appropriation  
Parking Meters  
Ordinance No. 4955

Ordinance No. 4955, entitled: "An Ordinance Of The City Of San Jose Appropriating The Sum Of Nine Thousand Five Hundred Dollars (\$9,500.00) From Gross Parking Meter Revenues In The General Fund To The City Manager For Purchase And Installation Of Parking Meters; Finding That It Is Unnecessary To Go To Bid For Said Meters; Authorizing The Purchase Of Said Meters From The Duncan Parking Meter Corporation; Authorizing The Expenditure Of Said Money", is presented by the Assistant City Attorney and upon motion of Councilman Hathaway, seconded by Councilman Foley, passed to print:

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

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

Payment Authorized Certificate of H. J. Flannery, City Engineer, approved by A. P. Hamann, City Manager, that there is due and payable to A. J. Raisch Paving Company, on contract for the improvement of 1st Street and Willow Street, M.C.S. Proj. No. 162; 2nd Street, M.C.S. Proj. No. 166; Julian Street, M.C.S. Proj. No. 167; Hedding Street and Newhall Street, M.C.S. Proj. No. 168 (1), a final payment of \$11,008.97, is read. Councilman Watson proposes and moves adoption of resolution that said final payment be authorized, seconded by Councilman Santora and adopted:

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

Resolution No. 11732 Request of Nick Bebek for extension of thirty days time in which  
30 Days Extension to complete contract for construction of concrete storm water  
Storm Sewers sewers and appurtenances in San Jose storm sewer system Route 5 and vicinity,  
Rt. 5 & Vicinity, Part II Part II, is presented by the City Engineer. Resolution No. 11732  
extending for thirty days the time in which to complete contract for the  
construction of concrete storm water sewers and appurtenances in San  
Jose storm sewer system Route 5 and vicinity, Part II, is read 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.

Christmas Tree Lot Resolution No. 11733 granting permission to Joseph T. Corral  
Polhemus & The Alameda to enter and use City-owned property on the southeast corner of  
Resolution No. 11733 Polhemus Street and The Alameda from December 1 through 24, 1955 for  
use as a Christmas tree sales lot is presented by the Assictant City  
Attorney and upon motion of Councilman Solari, seconded by Councilman  
Watson, adopted:

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

Street Number Maps Ordinance No. 4953, entitled: "An Ordinance Of The City Of  
23 Annexations San Jose Amending The San Jose Municipal Code By Adding Thereto New  
Ordinance No. 4953

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

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

Recess The Council now recesses at 7:50 o'clock P.M.

Reconvene The Council now reconvenes at 8:00 o'clock P.M. and the Acting Clerk calls the roll:

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

McLaughlin No. 2 Mayor Starbird calls for any person interested in the annexation of uninhabited territory designated McLaughlin No. 2 to appear. No person is present desirous of being heard.

Johnson No. 1  
Annexation  
(Uninhabited)

This being the time and place fixed by Resolution No. 11608, adopted October 3, 1955, when and where any person owning real property in the uninhabited territory proposed to be annexed to the City of San Jose and designated as Johnson No. 1, may appear and show cause why such territory should not be so annexed, Acting City Clerk reports that protests to said proposed annexation have been filed by Quito Land and Fruit Company, Peter and Mary Katicich, and E. Baer. Robert J. Costello, Assistant City Attorney, presents and files affidavit of Alice G. Wade of the publication in the San Jose News on October 17 and 24, 1955, of Resolution No. 11608, affidavit of John S. Baggerly of the publication in the Los Gatos-Times-Saratoga Observer on October 17 and 24, 1955 of Resolution No. 11608 and affidavits of Francis L. Greiner, Acting City Clerk, showing the names and addresses of owners of property and others to whom notices were mailed regarding the proposed annexation and date and time of hearing thereon. Petition of property owners for annexation to the City of San Jose of certain uninhabited territory designated Johnson No. 1; Affidavits of W. E. Rodgers, Public Administration Specialist II, 1) regarding number of registered voters residing within said proposed annexation, 2) regarding owners, acreage, value, etc. of parcels of real property in Johnson No. 1 as shown on last equalized

assessment roll and 3) assessed values and acreages of parcels on territory in said proposed annexation; Affidavits of Irving L. Ryder, 1) regarding map of, and acreage within Johnson No. 1, and 2) regarding number of acres of land in each parcel of territory within said proposed annexation; and communication from the Peninsula Title Guarantee Company stating that petitioners listed therein are owners of more than one-fourth of the land by area and assessed valuation within said proposed annexation; all of said documents having been filed on October 3, 1955, are re-submitted into evidence by the Assistant City Attorney. Councilman Solari proposes and moves adoption of resolution that said hearing be deferred until later in the meeting, seconded by Councilman Watson and adopted:

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

Bids  
 Fire Hose

Acting City Clerk reports receipt of one sealed proposal or bid for furnishing fire hose. Councilman Watson proposes and moves adoption of resolution that said proposal or bid be opened, seconded by Councilman Santora and adopted:

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

Bid

Acting City Clerk now opens said sealed proposal or bid.

Items	Bidder
	The American Rubber Mfg. Company
	Price
	\$ Cts.
3,000 ft. 2 $\frac{1}{2}$ " hose-double jacket, per specifications	4,440.00
2,000 ft. 1 $\frac{1}{2}$ " hose-double jacket, per specifications	2,060.00
350 ft. 3" hose-double jacket, per specifications	801.50
TOTAL PRICE	\$ 7,301.50

Guarantee: The American Rubber Mfg. Company - certified #2743, check #1089 (11-8-1210) in amount of \$760.00. Plus California State Sales Tax.

Bid  
 Fire Hose

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

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

Bids  
Improvement Bonds  
20th Street Opening      Acting City Clerk reports receipt of two sealed proposals or  
bids for purchase of City of San Jose Improvement Bonds, for the  
payment of the cost of Opening of Twentieth Street between Taylor Street  
on the northwest and Jackson Street on the southeast, Series 13-2.  
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      Acting City Clerk now opens said sealed proposals or bids.

Richard K. Karren      \$685.33 par value, to bear interest at the rate  
of 5.20% per annum, maturing July 2, 1957 to  
1966, inclusive.

Leo F. Piazza Paving Co.      \$685.33 par value, to bear interest at the rate  
of 6% per annum, maturing July 2, 1957 to 1966,  
inclusive.

Bids  
Improvement Bonds  
20th Street Opening      Councilman Solari proposes and moves adoption of resolution  
that said proposals or bids be referred to the City Auditor and  
City Treasurer for consideration and report, seconded by Councilman  
Watson and adopted:

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

Proposed Rezoning      This being the time and place fixed on October 17, 1955, as  
N. 1st St.      continued from November 14, 1955 for public hearing for the purpose  
Hobson-Jackson Sts.      of considering the proposal, pursuant to Section 9112.1 (b) of the San Jose  
To Rosa St.      Municipal Code, for the proposed rezoning of all or a part of certain real  
Hearing      property on both sides of North 1st Street between Hobson-Jackson Streets  
and Rosa Street, from R-1 and R-3 Residence Districts to C Commercial Dis-

trict (Professional-Office), Emery J. Delmas, Attorney at Law, states that all lots on North 1st Street between Hobson-Jackson Streets and Rosa Street are not 50' frontage lots, as stated previously and that many are in excess of 50' and further that many property owners within the proposed rezoning area were confused regarding the protest petition in connection with said proposed rezoning and presents and files communication from Bean and Bergna, Attorneys at Law, favoring the rezoning of said portions of N. 1st Street. E. M. Weakly, 832 North 1st Street, appears in favor of proposed rezoning. Arthur Johnson, Attorney at Law, appears in favor of proposed rezoning; Emery Adoradio appears in favor of proposed rezoning. Robert J. Costello, Assistant City Attorney, reports that total frontage involved is approximately 5,039', that protests have been made by owners of property totaling approximately 2,641.5', withdrawals of protests have been made by Juanita Neal and William E. Winter, that protest of C. Madrigali had not been computed as it had not been determined which parcel of property he owned and that total frontage protested considering withdrawals, approximates 2,417'. Garvin Hale, Attorney at Law, appears and states that S. M. Lewis and H. D. Bellerose also have asked to be withdrawn from petition of protest, and asks if city-owned property is included in total frontage whereupon he is informed by the Assistant City Attorney that said property is included because it is within the area to be rezoned. Mrs. E. C. Meyer appears and states she wishes her name removed from the petition of protest. Emery J. Delmas, Attorney at Law, presents and files petition of property owners within the area proposed to be rezoned who are in favor of any type of commercial rezoning and requests that any property owners thereon be removed from the petition protesting the proposed rezoning. Mrs. Mildred Mancuso appears and requests that her name be withdrawn from the petition favoring C Commercial District (Professional-Office). Councilman Santora proposes and moves adoption of resolution that the City Engineer and Director of Planning compute and report on the percentage of property owners now protesting said rezoning, seconded by Councilman Moore and adopted:

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

Zoning  
Maywood No. 2A  
Annexed Area  
Hearing

This being the time and place designated for the purpose of considering and discussing the final report of the City Planning Commission on the zoning of the uninhabited annexed area known as Maywood No. 2A Acting City Clerk reports that no protest to said proposed zoning has been filed. No person is present desirous of being heard. Councilman Hathaway proposes and moves adoption of resolution that said public hearing be closed, seconded by Councilman Foley and adopted:

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

Ordinance No. 4956  
Zoning  
Maywood No. 2A

Ordinance No. 4956, entitled: "An Ordinance Amending Article IX, (Zoning) Chapter I Of The San Jose Municipal Code, By Adding Thereto A New Section, To Be Designated 9102.24z56", is read and upon motion of Councilman Hathaway, seconded by Councilman Foley, passed to print:

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

Zoning  
Hamilton No. 2A  
Annexed Area  
Hearing

This being the time and place designated for the purpose of considering and discussing the final report of the City Planning Commission on the zoning of the uninhabited annexed area known as Hamilton No. 2A, Acting City Clerk reports that no protest to said proposed rezoning has been filed. No person is present desirous of being heard. Councilman Hathaway proposes and moves adoption of resolution that said public hearing be closed, seconded by Councilman Moore and adopted:

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

Ordinance No. 4957  
Zoning  
Hamilton No. 2A

Ordinance No. 4957, entitled: "An Ordinance Amending Article IX, (Zoning) Chapter I Of The San Jose Municipal Code, By Adding Thereto A New Section, To Be Designated 9102.24z57", is read and upon motion of Councilman Hathaway, seconded by Councilman Watson, passed to print:

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

Zoning  
Easterbrook No. 1  
Annexed Area  
Hearing

This being the time and place designated for the purpose of considering and discussing the final report of the City Planning Commission on the zoning of the uninhabited annexed area known as Easterbrook No. 1, Acting City Clerk reports that no protest to said proposed rezoning has been filed. No person is present desirous of being heard. Councilman Hathaway proposes and moves adoption of resolution that said public hearing be closed, seconded by Councilman Watson and adopted:

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

Ordinance No. 4958  
Zoning  
Easterbrook No. 1

Ordinance No. 4958, entitled: "An Ordinance Amending Article IX, (Zoning) Chapter I Of The San Jose Municipal Code, By Adding Thereto A New Section, To Be Designated 9102.24z58", is read and upon motion of Councilman Hathaway, seconded by Councilman Watson, passed to print:

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

Zoning  
Anne Darling No. 8  
Annexed Area  
Hearing

This being the time and place designated for the purpose of considering and discussing the final report of the City Planning Commission on the zoning of the uninhabited annexed area known as Anne Darling No. 8, Acting City Clerk reports that no protest to said proposed rezoning has been filed. No person is present desirous of being heard. Councilman Watson proposes and moves adoption of resolution that said public hearing be closed, seconded by Councilman Santora and adopted:

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

Ordinance No. 4959  
Zoning  
Anne Darling No. 8

Ordinance No. 4959, entitled: "An Ordinance Amending Article IX, (Zoning) Chapter I Of The San Jose Municipal Code By Adding Thereto A New Section, To Be Designated 9102.24z59", is read 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.

Cottle Ave. &  
Curtner Ave.  
Issuance of Bonds  
Hearing

This being the time and place as continued from November 14, 1955,  
fixed for hearing protests why bonds should not be issued upon the se-  
curity of the unpaid assessments as shown on list prepared and filed by  
the City Engineer, for the improvement of portions of Cottle Avenue from  
the center line of Curtner Avenue to the center line of Husted Avenue,  
also a portion of Curtner Avenue 45.33' southwesterly from the center  
line of Cottle Avenue and at right angles to the center line of Curtner  
Avenue, Acting City Clerk reports that no protests have been filed. No  
person is present desirous of being heard. Councilman Moore proposes  
and moves adoption of resolution that said hearing be closed, seconded  
by Councilman Santora and adopted:

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

Cottle Ave. &  
Curtner Ave.  
Resolution No. 11734  
Issuance of Bonds

Resolution No. 11734, providing for the issuance of street  
improvement bonds on the security of the unpaid assessment for the  
improvement of portions of Cottle Avenue from the center line of Curtner  
Avenue to the center line of Husted Avenue, also a portion of Curtner  
Avenue 45.33' southwesterly from the center line of Cottle Avenue and at  
right angles to the center line of Curtner Avenue, is read and upon  
motion of Councilman Watson, seconded by Councilman Moore, adopted:

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

Zoning Variance  
Convalescent Home  
976 Riverside Dr.  
Hearing

This being the time and place fixed for hearing, as set on  
October 31, 1955, and continued from November 14, 1955, on deletion of  
a provision of Resolution No. 3213 which approves a zoning variance  
granted by the City Planning Commission for use of 976 Riverside Drive as  
a convalescent home, which provides that said zoning variance shall not  
attach or run with the land, Herman J. Mager, Attorney at Law, representing  
Herbert Jorgensen, owner of said property, appears and states that the  
San Jose Municipal Code should provide for an appeal to the City Council

when zoning variances are denied by the City Planning Commission. Councilman Moore proposes and moves adoption of resolution that the City Attorney report to the Committee of the Whole on the feasibility of amending Article IX, Chapter 1 Part 7 of the San Jose Municipal Code to provide for an appeal by persons whose application for a zoning adjustment has been denied by the City Planning Commission, seconded by Councilman Santora and adopted:

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

Zoning Variance  
Convalescent Home  
976 Riverside Dr.  
Hearing

Councilman Santora proposes and moves adoption of resolution that hearing on deletion of a provision of Resolution No. 8213 which approves a zoning variance granted by the City Planning Commission for use of 976 Riverside Drive as a convalescent home, which provides that said zoning variance shall not attach or run with the land, be continued to January 3, 1956, seconded by Councilman Moore and adopted:

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

Application  
Taxicab License  
G. I. Taxi Company  
Hearing

This being the time and place fixed for hearing as set on November 14, 1955, on the question of whether or not application of G. I. Taxi Company, a corporation, for an owner's permit to engage in the business of a taxi company shall be granted in accordance with Article VI, Chapter 4 of the San Jose Municipal Code, Arvin O. Robb, Attorney at Law, representing G. I. Taxi Company, appears and states that the firm is reorganizing from a partnership to a corporation with no change in personnel. Acting City Clerk reports that said application conforms with the provisions of the San Jose Municipal Code except that no sworn financial statement was submitted pursuant to Section 6428 of said Code. Councilman Hathaway proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Moore and adopted:

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

G. I. Taxi Co.  
Permit

Councilman Moore proposes and moves adoption of resolution that an owner's permit be granted to G. I. Taxi Company to engage in the business

of a taxi company subject to the filing of a financial statement by  
December 21, 1955, seconded by Councilman Santora and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - None.

Application  
Public Card Room  
630 N. 6th St.

Application of Andres Rosario for a permit to operate and main-  
tain a public card room at 630 North 6th Street, is read and reported  
in proper form. Councilman Hathaway proposes and moves adoption of  
resolution that 8:00 o'clock P.M., December 5, 1955, Council Chambers,  
City Hall, be fixed as time and place for public hearing on said applica-  
tion, pursuant to Section 6212.3 of the San Jose Municipal Code, seconded  
by Councilman Watson and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - None.

State Division  
Of Highways  
Request For  
Cancellation Of Taxes

Requests of State Division of Highways for cancellation of  
taxes on three parcels of land acquired for State Highway Route 5 and  
one parcel of land acquired for State Highway 68 are read. Councilman  
Watson proposes and moves adoption of resolution that said requests be  
referred to the City Attorney for discretionary action, seconded by  
Councilman Moore and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - None.

Federal And State Health  
Funds Available

Notification from State Department of Public Health of Federal  
and State funds available to local health departments is read and  
by unanimous consent filed.

Pub. Util. Com.  
Allocation Funds  
Southern Pac. Co.  
Hedding St. Crossing

Notification from State Public Utilities Commission of allocation  
of funds in connection with grade crossing protection at Hedding Street  
and track of Southern Pacific Co. is read and by unanimous consent filed.

Gasoline Service  
Station SW Corner  
McKee Rd. & King Rd.

Application of Clara G. Altstatt for a permit to establish a  
gasoline service station at the SW corner of McKee Road and King Road,  
in accordance with the provisions of the San Jose Municipal Code, hereto-  
fore referred to and approved by the Chief, Fire Prevention Bureau, the  
City Engineer and the Director of Planning, is presented. Councilman

Watson proposes and moves adoption of resolution that said permit be granted, seconded by Councilman Hathaway and adopted:

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

Proclamation  
Toys For Tots Week

Request of Exchange Club of San Jose that December 5 to 12, 1955, be proclaimed as Toys for Tots Week, 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, Santora, Solari,  
Watson and Starbird.  
Noes: Councilmen - None.  
Absent: Councilmen - None.

Proclamation  
Civil Air Patrol Week

Request of Civil Air Patrol that week of November 25, 1955, be proclaimed Civil Air Patrol Week, 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, Santora, Solari,  
Watson and Starbird.  
Noes: Councilmen - None.  
Absent: Councilmen - None.

Christmas Lights  
Lincoln Ave.

Request of Willow Glen Business and Professional Association that Department of Public Works install Christmas lights on Lincoln Avenue is presented. Councilman Watson proposes and moves adoption of resolution that said request be granted, seconded by Councilman Moore and adopted:

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

Proposed Rezoning  
N. 1st St.  
Hobson-Jackson  
To Rosa St.  
Hearing  
(continued)

H. J. Flannery, City Engineer, reports on percentage of property owners now protesting the rezoning of certain real property on both sides of N. 1st Street between Hobson-Jackson Streets and Rosa Street from R-1 and R-3 Residence Districts to C Commercial District (Professional-Office), as referred to him and the Director of Planning earlier in the meeting and states that the total frontage within the area proposed to be rezoned is approximately 5039' and that protest has been made by owners of property

totaling approximately 2122' which is a protest of approximately 42 percent of the owners of property directly affected by said proposed rezoning, and further, that if government owned property were excluded from the total of the frontage proposed to be rezoned, that the percentage of protest would be approximately 52 percent. Councilman Hathaway recommends that said proposed rezoning should be denied at this time and that a meeting should be had with the City Planning Commission to consider and discuss some type of commercial zoning for N. 1st Street. Councilman Foley recommends that the area be rezoned as proposed to allow development of property where it is desired. Councilman Foley proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Watson and adopted:

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

Proposed Rezoning  
N. 1st St.  
Hobson-Jackson  
To Rosa St.  
Deny.

Councilman Hathaway proposes and moves adoption of resolution that certain real property on both sides of N. 1st Street between Hobson-Jackson Streets and Rosa Street be not rezoned from R-1 and R-3 Residence Districts to C Commercial District (Professional-Office), seconded by Councilman Watson and not adopted:

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

Proposed Rezoning  
N. 1st St.  
Hobson-Jackson  
to Rosa St.

Councilman Santora proposes and moves adoption of resolution that certain real property on both sides of N. 1st Street between Hobson-Jackson Streets and Rosa Street be rezoned from R-1 and R-3 Residence Districts to C Commercial District (Professional-Office), seconded by Councilman Moore and not adopted:

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

Rezoning Study  
N. 1st St.

Councilman Watson proposes and moves adoption of resolution that Committee of the Whole meet with the City Planning Commission at 4:00 o'clock P.M., January 10, 1956, in the office of said commission for the purpose of considering and discussing the feasibility of rezoning portions of real property on N. 1st Street to some type of commercial district,