

COUNCIL MINUTES

59

FEB. 20, 1956 - MARCH 5, 1956

In Those Portions Of The Natatorium And Arcade Building In Alum Rock Park Now Set Out For That Purpose, For A Term Commencing March 1, 1956 And Ending October 31, 1956", passed to print February 14, 1956, 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. 5039
Lease Souvenir &
Gift Concession
Alum Rock Park

Ordinance No. 5039, entitled: "An Ordinance Of The City Of San Jose Leasing To Charles Runner The Exclusive Right, Privilege And Concession Known As The Souvenir And Gift Concession In Those Portions Of The Natatorium And Arcade Building In Alum Rock Park Now Set For That Purpose, For A Term Commencing March 1, 1956 And Ending October 31, 1956", passed to print February 14, 1956, is given final reading, and upon motion of Councilman Moore, seconded by Councilman Santora, adopted:

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

Ordinance No. 5040
Rezone South 2nd St.,
Reed-Martha Sts.

Ordinance No. 5040, entitled: "An Ordinance Amending The San Jose Municipal Code By Adding A New Section Thereto To Be Numbered 9102.44257 Rezoning Certain Real Property On The North And South Sides Of South Second Street, Between Reed And Martha Streets, As Hereinafter Described", passed to print February 14, 1956, is given final reading, and upon motion of Councilman Watson, seconded by Councilman Solari, adopted:

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

Ordinance No. 5041
Rezone Cypress Ave.,
Judro Way, Doma Dr.,
City Limits Line

Ordinance No. 5041, entitled: "An Ordinance Amending The San Jose Municipal Code By Adding A New Section Thereto To Be Numbered 9102.44258 Rezoning Certain Real Property Bounded By Cypress Avenue, Judro Way, Doma Drive, And The City Limits Line, As Hereinafter Described", passed to print February 14, 1956, is given final reading, and upon motion of Councilman Solar, seconded by Councilman Watson, adopted:

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

Ordinance No. 5042
Sales Tax Exemptions

Ordinance No. 5042, entitled: "An Ordinance Of The City Of San Jose Adding To Article VI, Chapter 6 Of The San Jose Municipal Code A New Section, Section 6609.1 Providing For Exemptions From The City Sales Tax For Certain Deliveries Made Outside The City And Defining The Term 'Facilities'; And Abandoning Rules And Regulations Of The State Board Of Equalization In Conflict Therewith", passed to print February 14, 1956, 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. 5043
Speed Limits

Ordinance No. 5043, entitled: "Ordinance Of The City Of San Jose Amending Section 3314.18 Of The San Jose Municipal Code And Adopting And Adding Section 3314.30 To Said Code, Relating To The Prima Facie Speed Limits Of Santa Clara-Los Gatos Road And Prospect Road", passed to print February 14, 1956, is given final reading, and upon motion of Councilman Watson, seconded by Councilman Solari, adopted:

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

Bids
1 Motorized
Power Sweeper

Councilman Moore proposes and moves adoption of resolution that bid of Western Traction Company, manufacturers of the Wayne street sweeper, be accepted, seconded by Councilman Santora, and not adopted:

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

Bids
1 Motorized
Power Sweeper

General discussion is had, with H. J. Flannery, City Engineer, suggesting that Council inspect street sweepers in other cities to ascertain manner in which specifications should be written. Councilman Moore proposes and moves adoption of resolution that the proposals or bids, opened January 23, 1956, for furnishing 1 motorized street sweeper, be rejected and that the City Manager be authorized to advertise for new bids, seconded by Councilman Santora, and adopted:

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

Sidewalks W. G. Way,
Footbridge
Guadalupe River

H. J. Flannery, City Engineer, reports that County Engineer has agreed to transfer steel bridge over Los Gatos River at Lincoln Avenue to serve as footbridge over Guadalupe River at Willow Glen Way at a future date. City Engineer recommends and Councilman Hathaway proposes and moves adoption of resolution that report due from City Manager and City Engineer on request for installation of sidewalks on Willow Glen Way be deferred to February 27, 1956, seconded by Councilman Moore, and adopted:

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

Proposed Rezoning
SE Union & Foxworthy Aves.

Recommendation of the City Planning Commission, pursuant to Section 9112.1(c) of the San Jose Municipal Code, that certain parcels of property on the SE corner of Union and Foxworthy Avenues, be rezoned from R-1 Residence District to C-1 Commercial District, is presented. Councilman Watson proposes and moves adoption of resolution that 8:00 o'clock P.M., March 12, 1956, Council Chambers, City Hall, be fixed as time and place for the purpose of considering and discussing the proposed rezoning, seconded by Councilman Santora, and adopted:

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

Proposed Rezoning
SW Union Ave. &
W. Extension Foxworthy Ave.

Recommendation of the City Planning Commission, pursuant to Section 9112.1(c) of the San Jose Municipal Code, that certain parcels of property on the SW side of Union Avenue, at the westerly extension of Foxworthy Avenue, be rezoned from R-1 Residence District to C-1 Commercial District, is presented. Councilman Watson proposes and moves adoption of resolution that 8:00 o'clock P.M., March 12, 1956, Council Chambers, City Hall, be fixed as time and place for the purpose of considering and discussing the proposed rezoning, seconded by Councilman Santora, and adopted:

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

Proposed Rezoning
Doyle Rd.,
Near Stevens Creek Rd.

Recommendation of the City Planning Commission, pursuant to Section 9112.1(c) of the San Jose Municipal Code, that certain parcels of property on the easterly side of Doyle Road, approximately 1000 feet S. of Stevens Creek Road, be rezoned from R-1 Residence District to R-2 Residence District and that certain parcel of property situated on the W. side of Loma Linda Drive and also situated on the E. side of Doyle Road, be rezoned from R-1 Residence District to C-3 Commercial District, is presented. Councilman Watson proposes and moves adoption of resolution that 8:00 o'clock P.M., March 12, 1956, Council Chambers, City Hall, be fixed as time and place for the purpose of considering and discussing the proposed rezoning, 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. Side McKee Rd.,
N. 25th-26th Sts.

Recommendation of the City Planning Commission, pursuant to Section 9112.1(c) of the San Jose Municipal Code, that certain parcel of property on the N. side of McKee Road between North 25th and North 26th Street, be rezoned from R-1 Residence District to C-1 Commercial District, is presented. Councilman Watson proposes and moves adoption of resolution that 8:00 o'clock P.M., March 12, 1956, Council Chambers, City Hall, be fixed as time and place for the purpose of considering and discussing the proposed rezoning, seconded by Councilman Santora, and adopted:

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

District Line Extension
S. Alma Ave.

Resolution of the City Planning Commission, by authority of Article IX (Zoning), Chapter 1, Part 7 (Adjustments) of the San Jose Municipal Code, extending the C-1 Commercial District from a depth of 150 feet S. of Alma Avenue to include all of the remaining portion of Lot 5, Block 2, Chris Anderson's Subdivision, in order to permit the erection of a dwelling and apartments on said property, in keeping with plot plan on file in the Department of Building, is presented. Councilman Hathaway proposes and moves adoption of resolution that said

resolution be approved, seconded by Councilman Foley, and adopted:

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

District Line Extension
Rear Yard Adjustment
Bird Ave. & Malone Rd.

resolution of the City Planning Commission by authority of Article IX (Zoning), Chapter 1, Part 7 (Adjustments) of the San Jose Municipal Code, 1) extending the C-1 Commercial District to include the remaining portion of Lot 9, Tract No. 1099, recorded in Book 41 of Maps, page 39 and 2) granting a rear yard adjustment to 10' along the N. side of said Lot 9, upon conditions, to permit the erection of a food market, is read. Councilman Watson proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Santora, and adopted:

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

Ordinance No. 5044
Name Alma Ave.

Recommendation of the City Planning Commission, pursuant to Section 94 of the Charter, that right-of-way for W. extension of Alma Avenue, between Lick and Minnesota Avenues be dedicated for street purposes and that said extension be named Alma Avenue, is read. Ordinance No. 5044 entitled: "An Ordinance of The City Of San Jose Dedicating A Parcel Of Particularly Described Municipally-Owned Real Property For Street And Related Municipal Purposes; And Naming Said Described Parcel Of Real Property Alma Avenue", is presented and upon motion of Councilman Hathaway, seconded by Councilman Santora, passed to print:

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

Rear Yard Adjustment
721 Willow St.

Resolution of the City Planning Commission, by authority of Article IX, (Zoning), Chapter 1, Part 7 (Adjustments) of the San Jose Municipal Code, granting a rear yard adjustment to 5' at 721 Willow Street, to permit the enlargement of the automobile service building, in keeping with plot plan on file in Department of Building, is read. Councilman Foley proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Watson, and adopted:

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

Rear Yard Adjustment
2071-2081 Lincoln Ave.

Resolution of the City Planning Commission, by authority of Article IX, (Zoning), Chapter 1, Part 7 (Adjustments) of the San Jose Municipal Code, granting a rear yard adjustment to 10' at 2071 and 2081 Lincoln Avenue, in order to utilize as much of the front portion of these properties for off-street parking, in keeping with plot plan on file in Department of Building, is read. Councilman Foley proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Watson, and adopted:

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

Resolution No. 11939
Tentative Report
Zoning Bollinger No. 2

Resolution of the City Planning Commission, submitting tentative report on zoning uninhabited annexed area known as Bollinger No. 2, is presented. Resolution No. 11939, directing public hearing on tentative report of the City Planning Commission on zoning uninhabited annexed area known as Bollinger No. 2 and providing for notice of said hearing, is read, and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

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

Resolution No. 11940
Tentative Report
Zoning
Blackford No. 1

Resolution of the City Planning Commission, submitting tentative report on zoning uninhabited annexed area known as Blackford No. 1, is presented. Resolution No. 11940, directing public hearing on tentative report of the City Planning Commission on zoning uninhabited annexed area known as Blackford No. 1 and providing for notice of said hearing, is read, and upon motion of Councilman Moore, seconded by Councilman Watson, adopted:

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

Moreland No. 4
Zoning

Recommendation of the City Planning Commission, that proposed emergency ordinance, entitled "An Emergency Ordinance Classifying Into

Districts The Recently Annexed Area Known As Moreland No. 4", and proposed resolution requiring the City Planning Commission to make tentative report on zoning annexed area designated Moreland No. 4, be adopted, is read. Councilman Foley 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. 5045
Emergency Zoning
Moreland No. 4

Ordinance No. 5045, entitled: "An Emergency Ordinance Classifying Into Districts The Recently Annexed Area Known As Moreland No. 4", is read, and upon motion of Councilman Foley, 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. 11941
Zoning Annexed Area
Moreland No. 4

Resolution No. 11941, requiring City Planning Commission to make a tentative report on zoning annexed area known as Moreland No. 4, is presented, and upon motion of Councilman Foley, seconded by Councilman Solari, adopted:

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

McLaughlin 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 McLaughlin No. 2", and proposed resolution requiring the City Planning Commission to make tentative report on zoning annexed area designated McLaughlin No. 2, be adopted, is read. Councilman Solari proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Hathaway, and adopted:

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

Ordinance No. 5046
Emergency Zoning
McLaughlin No. 2

Ordinance No. 5046, entitled: "An Emergency Ordinance Classifying Into Districts The Recently Annexed Area Known As McLaughlin No. 2", is read, and upon motion of Councilman Solari, seconded by Councilman Hathaway, 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. 11942
Zoning Annexed Area
McLaughlin No. 2

Resolution No. 11942, requiring City Planning Commission to make a tentative report on zoning annexed area known as McLaughlin No. 2, is presented, and upon motion of Councilman Solari, seconded by Councilman Hathaway, adopted:

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

Ordinance No. 5047
Emergency Zoning
Johnson No. 1A

Ordinance No. 5047, entitled: "An Emergency Ordinance Classifying Into Districts The Recently Annexed Area Known As Johnson No. 1A", 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. 11943
Zoning Annexed Area
Johnson No. 1A

Resolution No. 11943, requiring City Planning Commission to make a tentative report on zoning annexed area known as Johnson No. 1A, 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.

Committee Of The Whole
Meeting

Mayor Starbird announces that the next Committee of the Whole meeting will be held at 4:00 o'clock P.M., February 27, 1956, Council Chambers, City Hall.

Irrigation Line
20th St.
(Gialmo)

H. J. Flannery, City Engineer, presents and files recommendation, and Councilman Santora proposes and moves adoption of resolution, that revocable permit be granted to retain water pipes under proposed

20th Street between Taylor and Mission Streets, and that no insurance be required, seconded by Councilman Moore, and adopted:

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

Maintenance Shop

H. J. Flannery, City Engineer, presents and files plans and specifications for work of constructing a maintenance shop at the site of Firehouse No. 3, located at South 3rd and Martha Streets. Councilman Watson proposes and moves adoption of resolution that said plans and specifications be approved and authority be given to advertise for bids when funds are available, seconded by Councilman Santora, and adopted:

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

Introduction To Students

Mayor Starbird introduces members of Council and administration to visiting students from San Jose State College.

Proclamation
A. P. Hamann Day

Councilman Watson proposes and moves adoption of resolution that recognition be given A. P. Hamann for his services as City Manager and that the Mayor be authorized to proclaim February 21, 1956, as "A. P. Hamann Day", seconded by Councilman Santora, and adopted:

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

Recess

Councilman Hathaway proposes and moves adoption of resolution that the Council recess to 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 7:51 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.

Bids
Gasoline

Acting City Clerk reports receipt of seven sealed proposals or bids for furnishing gasoline for a period of one year beginning

February 15, 1956. Councilman Santora proposes and moves adoption of resolution that said sealed proposals or bids be opened, seconded by Councilman Watson and adopted:

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

Bids Acting City Clerk now opens said sealed proposals or bids.

Bidders	Items & Bids			
	Approximately 100,000 Gals. "Regular Gasoline" Price Per Gal.	"Regular Gasoline" Via Transport Price Per Gal.	"Premium Gasoline" Via Transport Price Per Gal.	Approximately 100,000 Gals. "Premium Gasoline" Price Per Gal.
	\$ Cts.	\$ Cts.	\$ Cts.	\$ Cts.
General Petroleum Corporation Tank wagon deliveries of 400 gals. or more. 200-399 gals. add \$0.005 per gal. 40-199 gals. add \$0.01 per gal. 1-39 gals. regular add \$0.04; premium add \$0.045.	0.2260	0.2210	0.2460	0.2510
Richfield Oil Corporation Tank wagon deliveries of 400 gals. or more 200-399 gals. add \$0.005 per gal. 40-199 gals. add \$0.01 per gal. 1-39 gals. regular add \$0.04; premium add \$0.045. Not to exceed 50,000 gals in any one month.	0.1959*	0.1948*	0.2198*	0.2229*
Shell Oil Company	0.2021*	0.1971*	0.221*	0.221*
Signal Oil Company Single deliveries of 400 gals. or more 200-399 gals. add \$0.005 per gal. 40-199 gals. add \$0.01 per gal.	0.1962*	0.1912*	0.2202*	0.2217*
Standard Oil Company of California Tank truck deliveries of 400 gals. or more 200-399 gals. add \$0.005 per gal. 40-199 gals. add \$0.01 per gal. 1-39 gals. add \$0.05 per gal.	0.246**	0.241**	0.271**	0.276**
The Texas Company	0.1978*	0.1928*	0.2203*	0.2253*
Tide Water Associated Oil Company Truck deliveries of 400 gals. or more 200-399 gals. add \$0.005 per gal. 40-199 gals. add \$0.01 per gal.	0.1947*	0.1897*	0.2162*	0.2206*

*Price excludes Federal tax.
 **Deposit amount insufficient.

Guarantee: General Petroleum Corporation - certified #828 check #20677 (90-1451-1211) in amount of \$4,770.00; Richfield Oil Corporation - certified #6005497 check #2094 (16-5-1220) in amount of \$5,000.00; Shell Oil Company - certified #004158 check #2-1020 (11-16-1210) in amount of \$4,300.00; Signal Oil Company - certified #6005516 check #24328 (16-5) in amount of \$4,200.00; Standard Oil Company of California - certified #108816 check #68520 (11-17-1210) in amount of \$522.00; The Texas Company - certified #97241 check #59369 (16-4-1220) in amount of \$4,500.00; Tide Water Associated Oil Company - certified #108818 check #21685 (11-17-1210) in amount of \$4,000.00; also cashier's check #355381 (90-83-1211) in amount of \$153.00.

Bids
Gasoline

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

Zoning
Monterey Park No. 7
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 Monterey Park No. 7, Acting City Clerk reports that no written 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 Watson, and adopted:

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

Ordinance No. 5048
Zoning
Monterey Park No. 7

Ordinance No. 5048, entitled: "An Ordinance Amending Article IX, (Zoning) Chapter I Of The San Jose Municipal Code, By Adding Thereto A New Section, To Be Designated 9102.24z72", is read 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.

14th St.,
Taylor-Mission Sts.
Diagram & Assessment
Hearing

This being the time and place fixed for hearing protests to the diagram, assessment and schedule of assessment rates heretofore prepared and filed on January 24, 1956, by the City Engineer, on the opening of 14th Street between Taylor Street on the NE and Mission Street on the SW, Acting City Clerk advises that no written 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 Watson, and adopted:

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

Resolution No. 11944
14th St.,
Mission-Taylor Sts.
Approving & Confirming
Assessment

Resolution No. 11944, approving and confirming assessment and ordering warrant in the matter of the opening of 14th Street between Taylor Street on the NE and Mission Street on the SW, 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.

Public Hearing
Ross No. 4
Annexation
Resolution No. 11945

This being the time and place fixed when and where any person owning real property within the uninhabited territory proposed to be annexed to the City of San Jose designated Ross No. 4, may object or protest to said proposed annexation, Acting City Clerk reports that no written protest has been filed. No person is present desirous of being heard. Acting City Clerk presents and files affidavit 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; affidavit of John S. Baggerly of the publication in the Los Gatos Times-Saratoga Observer on January 16 and 23, 1956, of Resolution No. 11842; affidavit of Marcia C. De Witt of the publication in the San Jose News on January 16 and 23, 1956, of Resolution No. 11842. Resolution No. 11945 finding and determining that protest to said proposed annexation of Ross No. 4 has not been made by owners of one-half of the value of said territory as shown on the last equalized assessment roll nor by public and private owners of one-half of the value of such territory as determined by the Council, is presented by the 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.

Ross No. 4
Annexation
Public Hearing

Councilman Watson proposes and moves adoption of resolution that the public hearing on the proposed annexation of uninhabited territory designated Ross No. 4 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. 5049
Annexing
Ross No. 4

Ordinance No. 5049, entitled: "An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain Uninhabited Territory Designated 'Ross No. 4' And Herein Described, And Herein Annexing Said Territory To Said City Of San Jose", is presented by The City Attorney, and upon motion of Councilman Watson, seconded by Councilman Solari, passed to print:

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

Streets, Tract No. 1663

Communication from A. J. DeSmet, San Jose Abstract & Title Co., requesting permission to start construction on streets within Tract No. 1663 prior to the recordation of said subdivision map and that the City provide inspection for said work, is presented and by unanimous consent, referred to the City Engineer for consideration and report.

Class A
Auctioneer License
Fred Newburg

Application of Fred Newburg, for a permit to conduct Class A auctions, pursuant to the provisions of Article VI, Chapter 2, Part 6 of San Jose Municipal Code, is presented and reported in proper form. Councilman Moore proposes and moves adoption of resolution that said application be referred to the City Attorney 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.

State Division
Of Highways
Request For
Cancellation Of Taxes

Requests of State Division of Highways for cancellation of taxes on one parcel of land for State Highway Route 5 and two parcels of land acquired for State Highway Route 68 are presented and filed.

Councilman Hathaway proposes and moves adoption of resolution that said requests be referred to the City Attorney for discretionary action, seconded by Councilman Watson, and adopted:

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

Widen Clark Way
At Lincoln Ave.

Communication from William E. Watson, Attorney at Law, requesting on behalf of The Stone Church of Willow Glen, that it be permitted to widen the SE side of Clark Way at Lincoln Avenue, is presented. Councilman Watson proposes and moves adoption of resolution that said request 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.

County Boundary Comm.
Notice Of Annexations

Notification from County Boundary Commission, pursuant to Section 35002 of the Government Code of annexations within 3 miles of San Jose is presented, and by unanimous consent, filed.

Richmond Chase
Shipping Dock

Request of Richmond Chase Company to extend a proposed shipping dock into Montgomery Street between Julian and Cinnabar Streets, is presented. H. J. Flannery, City Engineer, presents and files recommendation, and Councilman Watson proposes and moves adoption of resolution that Richmond-Chase Company be granted a revocable permit for said construction; that said company provide evidence of insurance naming the City as additional insured, with respect to the construction and operation of said proposed loading dock; and that loading be carried on so as to maintain two moving lanes of traffic on Montgomery Street at all times, as required for fire protection, seconded by Councilman Santora, and adopted:

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

Proclamation
Save Your Vision Week

Request of Santa Clara County Optometric Society that March 4 to 10, 1956, be proclaimed as "Save Your Vision 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 Santora, and adopted:

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

Proclamation
Brotherhood Week

Request of San Jose Area Council of Churches that week of February 19 to 25, 1956, be proclaimed as "Brotherhood 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 Santora, and adopted:

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

Proclamation
Volunteers Of America Week

Request of Volunteers of America that March 4 to 8, 1956, be proclaimed as "Volunteers of America 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 Santora, and adopted:

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

Traffic Control
Park Ave. At Shasta,
Hester And
Calaveras-Magnolia

Mrs. Helen Piepgras, 1349 Martin Avenue, appears to request that traffic signal be installed at Park and Hester Avenues. General discussion is had. Councilman Hathaway proposes and moves adoption of resolution that Traffic Analyst be requested to report on February 27, 1956, on the feasibility of installing traffic signals or other control devices at the intersections of Park Avenue with Hester, Shasta and Calaveras-Magnolia Avenues, seconded by Councilman Watson, and adopted:

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

San Jose Water Works
Well, 12th And Martha

Harvey Hutchings appears to request that action be taken to prohibit San Jose Water Works from drilling a well near the NE corner of 12th and Martha Streets. City Attorney states that said request was referred to City Attorney, Director of Planning and City Building

Official on February 14, 1956, and that he has been contacted by an official of San Jose Water Works, who stated said property has been owned by Water Works for 30 years, during which time several wells have been drilled, and who contends that a non-conforming use exists. City Attorney states further that he cannot submit a full report until he receives information from Director of Planning and City Building Official. Harvey Hutchings states that City Building Official has stated such inspection is not under his jurisdiction. Councilman Foley proposes and moves that matter under discussion be referred to the Committee on Ordinance and Franchise, 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.

Moorpark No. 3
Annexation
Resolution No. 11946

Petition of James W. Harvey and James G. Smythe, requesting that pursuant to the provisions of the "Annexation of Uninhabited Territory Act of 1939 of the State of California", certain uninhabited territory designated Moorpark No. 3, described therein, be annexed to the City of San Jose, is presented and filed. Ferdinand P. Palla, City Attorney, presents and files affidavit of Irving L. Ryder, Civil Engineer, that he has examined the attached description of the territory designated Moorpark No. 3, that he prepared the attached map and that said map truly shows the boundaries of said territory, that said territory is contiguous to the City of San Jose and that said territory contains 41.947 acres; affidavit of W. E. Rodgers, Public Administration Specialist II, that he examined the records of the Registrar of Voters of Santa Clara County and determined that no registered voters resided within said territory on February 20, 1956; affidavit of W. E. Public Administration Specialist II, Rodgers that he has examined the last equalized assessment roll of the County of Santa Clara, California, for the fiscal year 1955-1956, and other documents, to obtain information set forth on attached document entitled: "Separate Parcels of Property In Moorpark No. 3", and that said information is complete and correct; communication from California Pacific Title Insurance Company, stating that said petitioners own

information set forth on attached document entitled: "Separate Parcels of Property in Meridian No. 3", and that said information is complete and correct. W. E. Rodgers, Public Administration Specialist II, is called by the City Attorney and testifies that his affidavit regarding the number of registered voters residing within said territory is correct, that his affidavit regarding owners, acreage, value, etc. of parcels of property in said territory is correct and 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. Norman E. Pyle appears to state he owns the property above mentioned. Resolution No. 11947, giving notice of proposed annexation of certain uninhabited territory designated Meridian No. 3 to the City of San Jose and fixing 8:00 o'clock P.M., April 2, 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 Santora, adopted:

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

Sweep San Antonio St.
Use Portable Signs

Councilman Moore states he has received complaints regarding lack of street sweeping on San Antonio Street, between 10th and 11th Streets and proposes and moves adoption of resolution that portable signs be used in this area on alternate sides of the street on alternate days, designating "no parking" zones so that street sweeping may be accomplished, seconded by Councilman Watson, and adopted:

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

1st & Santa Clara Sts.
No Left Turns

Councilman Moore proposes and moves adoption of resolution that the Traffic Analyst be directed to report on the feasibility of prohibiting left turns from Santa Clara Street to 1st Street, seconded by Councilman Santora, and adopted:

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

Market & San Carlos Sts.
No Left Turn

Sal Butera appears to request a 3 month delay in effect of provisions of Ordinance No. 4986, which ordinance prohibits parking in certain portions of San Carlos Street at certain times, and displays snapshots taken on San Carlos Street showing light traffic. City Manager advises that it will be 3 to 4 months before the signs will be received. Councilman Moore proposes and moves adoption of resolution that the Traffic Analyst be requested to contact Sal Butera regarding taking further pictures of traffic on San Carlos Street, and for lack of a second said motion is lost. Sal Butera requests and Councilman Moore proposes and moves adoption of resolution that the Traffic Analyst be directed to report on the feasibility of prohibiting left turns from Market Street to San Carlos Street, seconded by Councilman Santora, and adopted:

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

Resolution No. 11948
Withdrawing
Bollinger No. 2
Central Fire
Protection Dist.

Resolution No. 11948, withdrawing certain territory designated Bollinger No. 2 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. 11949
Withdrawing
Blackford No. 1
Central Fire
Protection Dist.

Resolution No. 11949, withdrawing certain territory designated Blackford No. 1 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. 11950
Withdrawing
Easterbrook No. 3
Central Fire
Protection Dist.

Resolution No. 11950, withdrawing certain territory designated Easterbrook No. 3 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.

Ordinance No. 5050
Use Tax To
Improvement Fund

Ordinance No. 5050, entitled: "An Ordinance Of The City Of San Jose Amending Section 2700.91 Of The San Jose Municipal Code To Provide For The Deposit Of All Revenue From Tangible Personal Property Use Taxation In The Sales Tax Improvement Fund, And Providing That The Effective Date Hereof Shall Be March 7, 1956", 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. 5051
Appropriation
Appraisal Fee, Mattis

Ordinance No. 5051, entitled: "An Ordinance Of The City Of San Jose Appropriating \$750.00 From The Special Gas Tax Street Improvement Fund, Project No. 114, And \$750.00 From The 1952 Bridge And Street Bond Fund To Pay George Mattis For Services Performed By Him Pursuant To Contract In Connection With Property Acquisition For The Widening Of Tenth Street And The Construction Of A Bridge On Lincoln Avenue; And Authorizing The City Engineer To Expend Said Sums Of Money For Said Purpose", is presented by the City Attorney and upon motion of Councilman Hathaway, seconded by Councilman Solari, passed to print:

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

Resolution No. 11951
Revoke S.J. Avionics
Revocable Permit

Resolution No. 11951, revoking permit for use of airport property, 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. 11952
Revoke Resol. No. 9878
S.J. Avionics

Resolution No. 11952, revoking permit for use of airport property, 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. 11953
Revocable Permit
Bayside Electronics

Resolution No. 11953, authorizing issuance of revocable permit to Bayside Electronics, Inc., DBA San Jose Avionics, to use space

at San Jose Municipal Airport, 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. 11954
Sell Buildings
94-96-98 San Antonio

Resolution No. 11954, authorizing the City Manager to issue and cause to be published a notice of intended sale at public auction of a city-owned building and improvements, is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Resolution No. 11955
Dr. Doris E. Parkinson

Resolution No. 11955, authorizing the City Manager and Mayor to execute on behalf of the City of San Jose an agreement with Dr. Doris E. Parkinson for services in connection with the conducting of medical examinations for City employees, is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Ordinance No. 5052
Repeal Ord. 4949
Option Hart Property

Ordinance No. 5052, entitled: "An Ordinance Of The City Of San Jose Repealing Ordinance No. 4949 Which Authorized The Purchase Of And Appropriated \$10,000.00 For The Purchase Of Certain Real Property Situate At The Northwest Corner Of Naglee Avenue And The Alameda", is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Solari, adopted:

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

Proposed Ordinance
Paint Mixing

Ferdinand P. Palla, City Attorney, presents proposed Ordinance, entitled: "An Ordinance Of The City Of San Jose Adding Section 9103.8a To The San Jose Municipal Code To Prohibit In Any Residential Or Commercial District Any Building Or Structure Or Use Of The Same For Any

Purpose Which Is Prohibited By Other Provisions Of The Code In Any Manufacturing Or Industrial District; And Amending Section 9103.8 Of Said Code Relating To Permissible And Prohibited Uses Of Lands And Buildings In M-1, M-2 And M-3 Manufacturing Districts To Add To The Prohibited Uses The Mixing Of Paint, Oil, Shellac, Turpentine Or Varnish". Councilman Hathaway proposes and moves adoption of resolution that said proposed Ordinance be referred to the Committee of the Whole, seconded by Councilman Moore, and adopted:

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

Meeting With
Santa Clara
Airport

A. P. Hamann, City Manager, requests that the Council set several dates for a meeting with Santa Clara regarding exchange of properties in vicinity of Municipal Airport, and by unanimous consent, 8:00 o'clock P.M. February 29, 1956 or March 7, 1956, are agreed upon for such meeting.

Coro Foundation
Pay Student

A. P. Hamann, City Manager, recommends and Councilman Moore proposes and moves adoption of resolution that the City Manager be authorized to pay expenses of \$75 per month for a student from The Coro Foundation who is to make a study of tax matters, seconded by Councilman Hathaway, and adopted:

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

Move Buildings
Off-Street Parking
Property

A. P. Hamann, City Manager, reports that Edelweiss Dairy has requested an extension of 30 days in which to complete the moving of a service station and other buildings from city-owned off-street parking property purchased from L. D. Bohnett. Ferdinand P. Palla, City Attorney, recommends that if such extension is granted, it be granted on the basis that Edelweiss Dairy waive any claim for damage to said buildings which may occur during said period of extension. Councilman Solari proposes and moves adoption of resolution that said extension be granted upon said condition, seconded by Councilman Moore and adopted:

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

Recreation Com.
Mrs. Baker

A. P. Hamann, City Manager, recommends and Councilman Hathaway proposes and moves adoption of resolution that Acting City Clerk be directed to write a letter of commendation to Mrs. Morgan Dillon Baker for her service to the City as Chairman and member of Recreation Commission, said letter of commendation to be signed by each Councilman, seconded by Councilman Watson, and adopted:

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

Service Medals

A. P. Hamann, City Manager, presents and files recommendation of the City Health Officer that medals be awarded to retiring commission, and board members and others in connection with their service to the City. Councilman Moore proposes and moves adoption of resolution that said proposal be referred to the Committee of the Whole 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.

Moorpark Park
Property

A. P. Hamann, City Manager, presents and files communication from L. Diel, Attorney at Law, which states that a reasonable sale price for property owned by the Bethel Church, on the northwest corner of Moorpark Avenue and Monroe Street is approximately \$65,000. A. P. Hamann, City Manager, recommends, and Councilman Foley proposes and moves adoption of resolution that if said property cannot be purchased for approximately \$32,000, that it be acquired through condemnation proceedings, seconded by Councilman Watson and adopted:

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

Surplus
1950 Sewer Bonds

A. P. Hamann, City Manager, presents opinion of Orrick, Dahlquist, Herrington & Sutcliffe, Attorneys at Law, relative to the use of surplus moneys in 1950 Sewer Bond Fund for the construction of

additional outfall or trunk line sewers, and by unanimous consent, said opinion is filed.

Resolution No. 11956
Sales Tax

A. P. Hamann, City Manager, presents and files letter written to each City in Santa Clara County requesting enactment of proposed resolution requesting County Board of Supervisors to enact a uniform county-wide sales tax of 1%, and allowing cities to retain the full 1% collected within their corporate limits and the county retain the full 1% collected in the unincorporated areas. Councilman Hathaway proposes and moves adoption of resolution that Resolution No. 11956, requesting the Board of Supervisors of Santa Clara County to enact a sales tax ordinance be adopted and that a copy of said resolution be forwarded to Board of Supervisors, seconded by Councilman Solari, and adopted:

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

City Hall Plans

Councilman Watson inquires and City Manager advises that City Hall plans are 92% complete and should be finished within 2 weeks.

Compliment
A. P. Hamann

Mayor Starbird presents and files communication from Wm. J. Moore, commending City Manager's recent speech presented in Auburn, California, for Boy Scout Government Day.

Garbage Collection
Noise

Mayor Starbird presents complaint of E. P. Schuknecht regarding garbage collection noise and, by unanimous consent, said complaint is referred to the Health Department for appropriate action.

Myers Yearbooks, Inc.

Mayor Starbird presents and files communication of Ralph D. Smith, Myers Yearbooks, Inc., and by unanimous consent said communication is filed.

Monthly Report

Report of the City Auditor for the month of January, 1956, is presented and filed.

Payment Authorized

Certificate of H. J. Flannery, City Engineer, approved by the City Manager, that there is due and payable to P. & E. Construction Company, on contract for the improvement of Foxworthy Avenue by sewerage, between the westerly line of Tract No. 1497, Willo-Mar, and the easterly line of Tract No. 1292, Foxworthy, as produced northerly onto

Foxworthy Avenue, a first payment of \$10,076.81, is read. Councilman Hathaway 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.

Resolution No. 11957
City Hall Site
Fixing Curb Grades

Resolution No. 11957, fixing official curb grades and positions of curbs for Rosa Street, from the west curb line of First Street, to the east curb line of Guadalupe Parkway; Mission Street, from the west curb line of First Street to east curb line of Guadalupe Parkway; Guadalupe Parkway, from the south curb line of Mission Street to the north curb line of Rosa Street; and First Street, from the south curb line of Mission Street to the north curb line of Rosa Street, is presented 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.

Resolution No. 11958
19th, St. James-
235.5'S
Prel. Deter.

Resolution No. 11958, preliminarily determining that the public convenience and necessity require the improvement of portions of Nineteenth Street between the easterly prolongation of the south property line of St. James Street and a point 235.50 feet southerly thereon without compliance with the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931; describing said proposed improvements; and setting a time and place for hearing protest thereon, is presented and upon motion of Councilman Moore, seconded by Councilman Santora, adopted:

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

Claim For Damages
(Lucchesi,
Angelo and Maria)

Claim of Angelo and Maria Lucchesi in amount of \$1,500 for alleged damages received on or about December 20, 1955, at 387 N. Autumn Street, is presented. Councilman Santora proposes and moves adoption of resolution that said claim be referred to the City Attorney for consideration, seconded by Councilman Watson, and adopted:

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

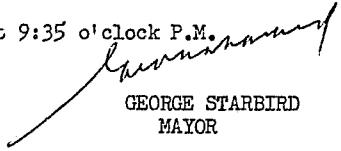
Adjourn

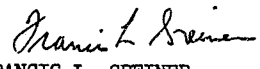
Councilman Santora proposes and moves adoption of resolution
that the Council adjourn, seconded by Councilman Watson, and adopted:

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

Adjourn

Council now adjourns at 9:35 o'clock P.M.


GEORGE STARBIRD
MAYOR

ATTEST: 
FRANCIS L. GREINER
ACTING CITY CLERK

Monday

San Jose, California

February 27, 1956

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

Invocation

Invocation is given by Mayor George Starbird.

Minutes

Councilman Hathaway proposes and moves adoption of resolution that consideration of the Minutes of August 16, 23, 30, September 7, 13, 20, 27, October 4, 11, 15, 25, November 1, 8, 15, 22, December 6, 7, 13, 20, 27, 1954; January 3, 10, 17, 24, 31, February 7, 14, 21, 23, 28, March 7, 4 o'clock & 8 o'clock P.M. March 14, March 21, 22, 28, 31, April 4, 11, 18, 25, May 2, 9, 16, 18, 23, 31, June 6, 13, 20, 27, July 5, 11, 18, 25, August 1, 4, 8, 15, 22, 29, September 6, 12, 14, 26, 28, October 3, 4, 10, 17, 1955, February 6 11 o'clock A.M. & 7 o'clock P.M. February 14 and February 20, 1956, be deferred, seconded by Councilman Santora, and adopted:

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

Councilmen Foley
And Watson Enter

Councilmen Foley and Watson now enter and are seated.

Ordinance No. 5044
Dedicate Property,
Alma Ave.

Ordinance No. 5044, entitled: "An Ordinance Of The City Of San Jose Dedicating A Parcel Of Particularly Described Municipally-Owned Real Property For Street And Related Municipal Purposes; And Naming Said Described Parcel Of Real Property Alma Avenue", passed to print February 20, 1956, is given final reading and upon motion of Councilman Hathaway, seconded by Councilman Moore, adopted:

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

Ordinance No. 5048
Zone
Monterey Park No. 7

Ordinance No. 5048, entitled: "An Ordinance Amending Article IX, (Zoning) Chapter I Of The San Jose Municipal Code, By Adding There-to A New Section To Be Designated 9102.24z72", passed to print February 20, 1956, is given final reading and upon motion of Councilman Hathaway, seconded by Councilman Moore, adopted:

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

Councilman Solari
Enters

Councilman Solari now enters and is seated.

Ordinance No. 5049
Annex Ross No. 4

Ordinance No. 5049, entitled: "An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain Uninhabited Territory Designated 'Ross No. 4' And Herein Described, And Herein Annexing Said Territory To Said City Of San Jose", passed to print February 20, 1956, is given final reading and upon motion of Councilman Hathaway, seconded by Councilman Moore, adopted:

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

Ordinance No. 5050
Sales Tax Improvement
Fund

Ordinance No. 5050, entitled: "An Ordinance Of The City Of San Jose Amending Section 2700.91 Of The San Jose Municipal Code To Provide For The Deposit Of All Revenue From Tangible Personal Property Use Taxation In The Sales Tax Improvement Fund, And Providing That The Effective Date Hereof Shall Be March 7, 1956", passed to print February 20, 1956, 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. 5051
Appropriation
Widen 10th St. &
Construct Lincoln Ave.
Bridge

Ordinance No. 5051, entitled: "An Ordinance Of The City Of San Jose Appropriating \$750.00 From The Special Gas Tax Street Improvement Fund, Project No. 144, And \$750.00 From The 1952 Bridge And Street Bond Fund To Pay George Mattis For Services Performed By Him Pursuant To Contract In Connection With Property Acquisition For The Widening Of Tenth Street And The Construction Of A Bridge On Lincoln Avenue; And Authorizing The City Engineer To Expend Said Sums Of Money For Said Purpose", passed to print February 20, 1956, is given final reading and upon motion of Councilman Santora, seconded by Councilman Moore, adopted:

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

Ordinance No. 5052
Repeal Ord. 4949

Ordinance No. 5052, entitled: "An Ordinance Of The City Of San Jose Repealing Ordinance No. 4949 Which Authorized The Purchase Of And Appropriated \$10,000.00 For The Purchase Of Certain Real Property

Situate At The Northwest Corner Of Naglee Avenue And The Alameda",
passed to print February 20, 1956, is given final reading 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

Gasoline
Award

A. P. Hamann, City Manager, reports that the bid of Tide Water
Associated Oil Co., opened February 20, 1956, is the lowest responsible
bid for furnishing gasoline for the period February 15, 1956, to Febru-
ary 14, 1957, and recommends that said bid be accepted. Councilman
Hathaway proposes and moves adoption of resolution that said bid of Tide
Water Associated Oil Co. be accepted, contract be awarded for furnishing
gasoline for the period February 15, 1956 to February 14, 1957, and all
other bids be rejected, seconded by Councilman Solari, and adopted:

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

Willow Glen Way
Sidewalk

H. J. Flannery, City Engineer, reports that he has been un-
able to contact one property owner with respect to installation of
sidewalks on Willow Glen Way. Councilman Hathaway proposes and moves
adoption of resolution that report due from City Manager and City
Engineer on request for installation of sidewalks on Willow Glen Way
be deferred to March 12, 1956, seconded by Councilman Solari, and
adopted:

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

Class A
Auctioneer License
Fred Newburg

City Attorney advises that application of Fred Newburg for
a permit to conduct Class A auctions, presented February 20, 1956,
complies with the requirements of the San Jose Municipal Code. Coun-
cilman Watson proposes and moves adoption of resolution that said per-
mit be granted, seconded by Councilman Solari, and adopted:

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

Resolution No. 11959
90 Day Extension
Illinois Ave.

Request of Vierra Construction Co. for extension of 90 days time in which to complete contract for paving work on Illinois Avenue, between the south line of Home Street and the north line of Jerome Street, is presented by the City Engineer. Resolution No. 11959, extending for ninety days the time in which to complete contract for paving work on Illinois Avenue, between the south line of Home Street and the north line of Jerome Street, is read and upon motion of Councilman Watson, seconded by Councilman Solari, adopted:

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

Request. Pave
Sunol St.

H. J. Flannery, City Engineer, reports that with respect to request of Engfer Iron Works, presented October 31, 1955, that west side of Sunol Street that is within City Limits be paved, a new improvement petition is being circulated among property owners on said portion of Sunol Street.

Horse Trails
Alum Rock Park

H. J. Flannery, City Engineer, reports that with respect to request that horse trails in Alum Rock Park be gravelled, crews are now working on said trails and that the condition of said trails will be improved when the Park is opened for the season.

Streets
Tract No. 1663

H. J. Flannery, City Engineer, recommends that permission be not granted, as requested February 20, 1956, to construct streets within Tract No. 1663 prior to recordation of subdivision map, but that City condemn the necessary right-of-way for a sanitary sewer line if subdivider is unable to negotiate successfully with abutting property owners for said right-of-way. Councilman Hathaway proposes and moves adoption of resolution accepting said recommendation of the City Engineer, seconded by Councilman Santora, and adopted:

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

San Jose Water Works
Well, 12th & Martha

Councilman Foley presents and files report of Ordinance and Franchise Committee regarding San Jose Water Works drilling operations at northeast corner of South 12th and Martha Streets, with recommendation that questions regarding said matter be referred to the Planning

Department and the City Attorney for investigation and report. By unanimous consent, consideration of said matter is deferred until the attorney for the complainant is present.

Resolution No. 11960
Withdrawing
Maywood No. 3
From Central Fire
Protection District

Resolution No. 11960, withdrawing certain territory designated Maywood No. 3 from the Central Fire Protection District of the County of Santa Clara, is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

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

Resolution No. 11961
Withdrawing
Moreland No. 4
From Quito
Lighting District

Resolution No. 11961, withdrawing certain territory designated Moreland No. 4 from the Quito Lighting District of the County of Santa Clara, is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

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

Resolution No. 11962
Withdrawing
Moreland No. 4
From Central Fire
Protection Dist.

Resolution No. 11962, withdrawing certain territory designated Moreland No. 4 from the Central Fire Protection District of the County of Santa Clara, is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

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

Resolution No. 11963
Withdrawing
McLaughlin No. 2
From Central Fire
Protection Dist.

Resolution No. 11963, withdrawing certain territory designated McLaughlin No. 2 from the Central Fire Protection District of the County of Santa Clara, is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Foley, adopted:

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

Resolution No. 11964
Withdrawing
Lone Hill No. 5
From Central Fire
Protection Dist.

Resolution No. 11964, withdrawing certain territory designated Lone Hill 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 Foley, adopted:

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

Resolution No. 11965
Revocable Permit
Antoinette Giaino
Water Line, 20th St.

Resolution No. 11965, granting a revocable permit to Mrs. Antoinette Giaino to keep and maintain an underground water pipe under and across 20th Street, is presented by the City Attorney, and upon motion of Councilman Moore, seconded by Councilman Watson, adopted:

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

Ordinance No. 5053
Quit Claim
University Ave.

Ordinance No. 5053, entitled: "An Ordinance Of The City Of San Jose Authorizing The Mayor And City Manager To Execute, On Behalf Of The City Of San Jose, A Deed Quit Claiming A Portion Of University Avenue, Hereinafter Described, Which Has Been Closed And Abandoned, To Helen K. West", is presented by the 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.

Resolution No. 11966
Revocable Permit
Rundle's Neon Sign

Resolution No. 11966, granting a revocable permit to Rundle's to erect and maintain a neon sign on city-owned property, 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. 11967
Renew Lease
Fire House
O'Connor Dr.

Resolution No. 11967, authorizing renewal of lease of Fire House at 161 O'Connor Drive, is presented by the City Attorney, and upon motion of Councilman Moore, seconded by Councilman Watson, adopted:

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

Ordinance No. 5054
Appropriation
7th & Commercial
Malone Rd.

Ordinance No. 5054, entitled: "An Ordinance Of The City Of San Jose Appropriating The Sum Of \$55,000.00 From The Special Gas Tax Street Improvement Fund To Pay A Portion Of The Cost For The Improvement Of Seventh And Commercial Streets And Malone Road From Lincoln Avenue

To The Guadalupe River", is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Hathaway, passed to print:

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

Ordinance No. 5055
San Carlos St. Property
Appropriation

Ordinance No. 5055, entitled: "An Ordinance Of The City Of San Jose Authorizing The Mayor And City Manager To Purchase On Behalf Of The City Of San Jose Certain Described Pieces Or Parcels Of Real Property And To Execute Agreements Therefor For The Purpose Of Widening San Carlos Street; Setting Forth The Terms And Conditions Therefor, And Appropriating The Sum Of \$69,300.00 From The Special Gas Tax Street Improvement Fund Of Which \$66,000.00 Shall Be Used For The Purchase Of Said Properties And \$3,300.00 For Commissions And Costs", is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Santora passed to print:

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

Ordinance No. 5056
City Auditor
Personal Service

Ordinance No. 5056, entitled: "An Ordinance Of The City Of San Jose Appropriating Two Thousand Dollars (\$2,000) From The General Fund To The Office Of The City Auditor For The Payment Of Such Officer's Operating Expenses For Personal Services For The Fiscal Year 1955-56; And Authorizing The City Auditor To Expend Such Money For Such Purpose", is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Solari, passed to print:

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

Ordinance No. 5057
Appropriation
Store Fund

Ordinance No. 5057, entitled: "An Ordinance Of The City Of San Jose Appropriating To The Store Fund Certain Monies Heretofore Transferred Thereto For Kelley Ranch Purposes, And Authorizing The City Purchasing Agent To Expend Such Monies For General Store Fund 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. 5058
Appropriation
Fire Maint. Shop

Ordinance No. 5058, entitled: "An Ordinance Of The City Of San Jose Appropriating \$17,000.00 From The General Fund To The Public Improvement Fund; Appropriating \$17,000.00 From The Public Improvement Fund To The Department Of Public Works For Construction Of Fire Department Shop Building; Appropriating \$4,000.00 From The 1946 Fire Department Construction Fund To Equip Said Shop; And Authorizing Expenditure", 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. 11968
Settle Claim
(Locicero)

Resolution No. 11968, authorizing the City Attorney to settle the claim and action of Frank J. Locicero against the City for the sum of \$2,500.00, is presented by the 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.

Resolution No. 11969
Agreement
County Sanitation
Dist. No. 4

Resolution No. 11969, authorizing Mayor and City Manager to execute an agreement with County Sanitation District No. 4, for the connection to the City sanitary sewer at the intersection of Westfield and Baywood Avenues, is presented by the 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.

Resolution No. 11970
Polling Places
Election Officers

Resolution No. 11970, designating the election precincts and polling places for the municipal election to be held April 10, 1956; determining the composition for each precinct board; appointing officers for said election; establishing compensation for election officers for said election; designating the hours during which the polls shall be open; and directing the City Clerk to publish notice of election officers, voting precincts and polling places, is presented by the 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.

Appraisal Fee
Earl C. Smart

A. P. Hamann, City Manager, recommends and Councilman Hathaway proposes and moves adoption of resolution that the City Manager be authorized to pay San Jose Real Estate Board \$400 as appraisal fee on properties located at 1129 and 1135 Minnesota Avenue, seconded by Councilman Moore, and adopted:

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

Advance Payment
Haines Contract

A. P. Hamann, City Manager, presents and files communication from Donald F. Haines, Architect, requesting payment in amount of 50% of contract price, or \$28,750.00, for drawing plans and specifications for new City Hall building as an interim payment prior to completion of said plans and specifications. General discussion is had with the City Manager. Councilman Hathaway proposes and moves adoption of resolution that said \$28,750.00 interim payment to Donald F. Haines be approved, seconded by Councilman Solari, and adopted:

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

City Hall Inspection
Haines

A. P. Hamann, City Manager, presents and files communication from Donald F. Haines, Architect, requesting that said Donald F. Haines be awarded a contract for the supervision and inspection of the new City Hall building, at a fee of 2% of the total construction cost of said building. Councilman Moore proposes and moves adoption of resolution that said request for award of contract for supervision and inspection of new City Hall building at a fee of 2% of the total construction cost of building, be referred to the Committee of the Whole for consideration at its meeting of March 5, 1956, seconded by Councilman Santora, and adopted:

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

Delay
Health Building
Plans

A. P. Hamann, City Manager, presents communication from Hollis Logue, Jr., Architect, stating there will be a delay in completion of drawings and specifications of the Health Building, due to lack of necessary information, and by unanimous consent, said communication is filed.

Architect Fee
Health Center

A. P. Hamann, City Manager, recommends, and Councilman Hathaway proposes and moves adoption of resolution that statement for professional services in amount of \$5,707.44, as submitted by Hollis Logue, Jr., Architect, in connection with drawings and specifications for Health Building, be referred to the City Attorney, for report, seconded by Councilman Foley, and adopted:

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

Files
Planning Dept.

A. P. Hamann, City Manager, recommends, and Councilman Hathaway proposes and moves adoption of resolution that Planning Department be granted permission to purchase unbudgeted items as follows: 2 gray file cabinets and 2 Hamilton map files at an estimated expenditure of \$300.00, seconded by Councilman Santora, and adopted:

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

Pedestrian
Cross Walk
Willow St. & Harliss Ave.

A. P. Hamann, City Manager presents report of Traffic Analyst, recommending that request for a pedestrian crosswalk across Willow Street at Harliss Avenue be granted, and that certain curb markings be made. Councilman Watson proposes and moves adoption of resolution that pedestrian crosswalk and other marks be painted at Willow Street at Harliss Avenue, seconded by Councilman Moore, and adopted:

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

Civil Service Dept.
Equipment

A. P. Hamann, City Manager, recommends, and Councilman Hathaway proposes and moves adoption of resolution that Civil Service Department be permitted to make a change in budgeted items, to substitute purchase of 1 metal typewriter desk and 2 metal transfer files,

seconded by Councilman Solari, and adopted:

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

Manager Attend Meeting
City Managers

A. P. Hamann, City Manager, requests and Councilman Watson proposes and moves adoption of resolution that City Manager be authorized to attend on March 1 and 2, 1956, the annual League of California Cities meeting of City Managers, to be held in Los Angeles, and that he be allowed necessary expenses, 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 the City Manager, that there is due and payable to Farr & McCullough, on contract for constructing Parking Lot Entrances and Attendants' Offices for Off-Street Parking Lots No. 3 and 4, a final payment of \$2,325.37, is read. Councilman Watson proposes and moves adoption of resolution that said payment be authorized, seconded by Councilman Hathaway, and adopted:

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

Monthly Report

Report of the Health Department for the month of January 1956 is presented and filed.

Record Of Survey
Bogdanich Building
Company
Resolution No. 11971

Joint statement of the Department of Public Works and the Department of Planning that parcels of property shown upon "Record of Survey Map, Being a portion of the Quito Rancho, City of San Jose, Santa Clara County, California, for Bogdanich Building Company" abut dedicated streets; that street opening or widening is not required in the division thereof into lots or parcels; and that the lot design shown thereon is approved, is presented and filed. Resolution No. 11971 finding that those parcels of property shown upon "Record of Survey Map, Being a portion of the Quito Rancho, City of San Jose, Santa Clara County, California, for Bogdanich Building Company" abut

dedicated streets; that street opening or widening is not required in the division thereof into lots or parcels; and approving the lot design as shown thereon, is presented 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.

Bus Terminal
Proposed

Mayor Starbird recommends and Councilman Watson proposes and moves adoption of resolution that City Manager be authorized to write bus companies' officials and ask that the City Planning Commission and City Building Official be consulted regarding handling of traffic and other problems in connection with proposed bus terminal on San Pedro near Post Street, seconded by Councilman Solari, and adopted:

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

Recess

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

Ayes: Councilmen - 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 8:09 o'clock P.M. and the Acting Clerk calls the roll:

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

Bids
16 Automobiles

Acting City Clerk reports receipt of five sealed proposals or bids for 16 eight-cylinder, four-door sedans. Councilman Foley proposes and moves adoption of resolution that said proposals or bids be opened, seconded by Councilman Watson and adopted:

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

Bids

Acting City Clerk now opens said sealed proposals or bids.

Bidders	Bids	
	16 8-cylinder 4-door sedans, per specifications Price \$ Cts.	Less Amount of Trade-in Price \$ Cts.
Allison Pontiac Guarantee: Cashier's check No. 355706 (90-83-1211) in amount of \$2,960.62.	32,551.20	3,015.00
General Motors Corporation (Chevrolet Motor Division) Guarantee: Certified #48457 check #1890 (9-32-720) in amount of \$2,145.00.	21,449.92	3,650.00
Joe Kerley-Lincoln-Mercury, Inc. Guarantee: Certified #247140 check #580 (90-84-1211) in amount of \$2,725.00.	29,772.80	2,570.00
Normandin's Guarantee: Certified #29317 check #2986 (90-83-1211) in amount of \$2,686.50.	28,230.00	3,535.00
San Jose Ford Sales Co. Guarantee: Certified #29318 check #14656 (90-83-1211) in amount of \$2,000.60.	20,006.56	3,430.00
Plus State Sales Tax.		

Bids

16 Automobiles

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

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

Bids

90 Fire Hydrants

Acting City Clerk reports receipt of three sealed proposals
 or bids for 90 fire hydrants. Councilman Hathaway proposes and moves
 adoption of resolution that said proposals or bids be opened, seconded
 by Councilman Watson and adopted:

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

Bids

Acting City Clerk now opens said sealed proposals or bids.

Bids	Bidders					
	Crane Co.		Pacific States Cast Iron Pipe Co.		Rensselaer Valve Co.	
	Price		Price		Price	
	\$ Cts.	\$	Cts.	\$	Cts.	
75 - 42" fire hydrants, per hydrant	130.30		116.28		128.30	
15 - 36" fire hydrants, per hydrant	127.60		113.86		125.60	

Plus State Sales Tax.

Guarantee: Crane Co.-certified #051758 check #40302 (11-8-1210) in amount of \$1,169.00; Pacific States Cast Iron Pipe Co. - certified #13700 check #535 (97-19-1243) in amount of \$1,100.00; Rensselaer Valve Co. - certified #563 check #4561 (90-1432-1211) in amount of \$1,155.00.

Bids
90 Fire Hydrants

Councilman Watson proposes and moves adoption of resolution that said proposals or bids be referred to the Fire Chief and Purchasing Agent 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.

Proposed Rezoning
Foxworthy Ave.
At Ross Ave.
Hearing

This being the time and place fixed on February 6, 1956, 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 proposed rezoning of all or a part of certain real property on the north side of Foxworthy Avenue at Ross Avenue, from R-1 Residence District to R-2 Residence District and C-1 Commercial District, Acting City Clerk reports that no written protest to said proposed rezoning has been received. 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.

Proposed Rezoning
Foxworthy Ave.
At Ross Ave.
Not Rezoned

Councilman Hathaway proposes and moves adoption of resolution that the recommendation of the City Planning Commission that all or a part of certain real property on the north side of Foxworthy Avenue at Ross Avenue, be not rezoned from R-1 Residence District to R-2 Residence District and C-1 Commercial District, be accepted, and that said property

be not rezoned, seconded by Councilman Solari, and adopted:

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

Public Hearing
Bryan No. 2
Annexation
Resolution No. 11972

This being the time and place fixed when and where any person owning real property within the uninhabited territory proposed to be annexed to the City of San Jose designated Bryan No. 2, may object or protest to said proposed annexation, Acting City Clerk, reports that no written protest has been filed. No person is present desirous of being heard. Acting City Clerk presents and files affidavit of John S. Baggerly of the publication in the Los Gatos Times-Saratoga Observer on January 30 and February 6, 1956, of Resolution No. 11863; affidavit of Marcia C. De Witt of the publication in the San Jose News on January 30 and February 6, 1956, of Resolution No. 11863; affidavit 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. Resolution No. 11972, finding and determining that protest to said proposed annexation of Bryan No. 2 has not been made by owners of one-half of the value of said territory as shown on the last equalized assessment roll nor by public and private owners of one-half of the value of such territory as determined by the Council, is presented by the 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.

Bryan No. 2
Annexation
Public Hearing

Councilman Hathaway proposes and moves adoption of resolution that the public hearing on the proposed annexation of uninhabited territory designated Bryan No. 2 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. 5059
Annexing
Bryan No. 2

Ordinance No. 5059, entitled: "An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain

Uninhabited Territory Designated 'Bryan No. 2' And Herein Described,
And Herein Annexing Said Territory To Said City Of San Jose", is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Hathaway, passed to print:

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

Request of State Division of Highways for cancellation of taxes on 1 parcel of land acquired for State Highway Route 5 is presented and filed. Councilman Hathaway proposes and moves adoption of resolution that said request be referred to the City Attorney for discretionary action, seconded by Councilman Watson, and adopted:

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

San Jose City Lines
Route Change

Copy of first amendment to application of San Jose City Lines, Inc., for an in lieu Certificate and Authority to make changes in routes numbers 2 to 7 inclusive to conform with one-way street program; notice from the Public Utilities Commission of the State of California of removal from its calendar of the application of San Jose City Lines, Inc. for authority to extend and/or reroute a portion of Route No. 3 and Decision No. 52666 of the Public Utilities Commission in the matter of said application for the extension and/or rerouting of a portion of Route No. 3 are presented and filed. Councilman Hathaway proposes and moves adoption of resolution that said communications be referred to the City Planning Commission and City Attorney, seconded by Councilman Solari and adopted:

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

Gasoline Service
Station SE Corner
Bascom & Hedding Sts.

Application of the Shell Oil Company, for a permit to establish a gasoline service station at the SE corner of Bascom and Hedding Streets, in accordance with the provisions of the San Jose Municipal Code, heretofore referred to and approved by the Chief, Fire

Prevention Bureau, the City Engineer and the Director of Planning, is presented. Councilman Moore proposes and moves adoption of resolution that consideration of said application be deferred to March 5, 1956, seconded by Councilman Hathaway, and adopted:

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

Uniform Sales Tax
Board Of Supervisors

Copy of communication from Frank H. Thill, County Executive, to the Board of Supervisors of Santa Clara County, regarding meeting on February 17, 1956, relative to the uniform sales tax, and communication from County Executive stating that Board of Supervisors will not discuss Uniform Sales Tax at its February 27, 1956 meeting, are presented and, by unanimous consent, filed.

Police & Fire Wages

Communication from John E. Thorne, Attorney at Law, requesting 5.7% wage increase for members of Police and Fire Departments, is presented. John E. Thorne appears and recommends and Councilman Watson proposes and moves adoption of resolution that said request be referred to the Civil Service Commission for a survey and then referred to the Committee on Finance, seconded by Councilman Moore, and adopted:

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

Protests
Application
American River Water

Eleven protests to City of San Jose application for water from American River project are presented and filed. Director of Planning requests and Councilman Hathaway proposes and moves adoption of resolution that Director of Planning be authorized to attend hearing in Sacramento on March 1, 1956, with respect to said application, seconded by Councilman Solari, and adopted:

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

City Of Bakersfield
Special Session
Legislature
State Water Problems

Copy of a resolution of the City of Bakersfield presenting recommendations for study at a proposed special session of the State Legislature relative to water problems is presented and, by unanimous consent, filed.

Parking Meter Zone
Fringe - Parking

Complaint of P. H. Williams regarding difficulty in obtaining parking spaces in areas on fringe of parking meter zone is presented. Councilman Hathaway proposes and moves adoption of resolution that said complaint be referred to the Traffic Analyst 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.

Notice Of Intention
City Of Saratoga

Notice from Board of Supervisors, Santa Clara County, of receipt of notice of intention to circulate a petition for the incorporation of a new city to be known as the City of Saratoga, is presented, and by unanimous consent, filed.

Inter-American
Municipal Organization

Invitation from Inter-American Municipal Organization to attend 6th meeting of Inter-American Congress of Municipalities in Panama, August 14 to 19, 1956, is presented and, by unanimous consent, filed.

Proclamation
Red Cross

Request of American Red Cross that street flags be hung in San Jose during month of March and that month of March be proclaimed as "Red Cross Month", is read. Councilman Santora proposes and moves adoption of resolution that the hanging of said street flags be authorized, 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.

Park Ave. Traffic

Mrs. Helen Piegras appears to state there was an automobile accident at Park and Hester Avenues this evening and requests that the Council take immediate action to alleviate the traffic problem in said area. Traffic Analyst appears and shows proposed ^{long range} solution for traffic control at Park and Hester Avenues, which includes purchase of the corner of Hanchett Avenue and building traffic island on NE corner, and providing channelization, said proposed construction to tie in with installation of traffic lights at Cinnabar Street, at a cost of approximately \$10,000.00. Operator of the Hester-Park Foods Market appears to state some relief must be provided immediately. Cecil Reid appears

to state that there is a 4-way stop at South 2nd and Goodyear Streets which works well to control traffic in that area. Michael H. Antonacci, Director of Planning, recommends and Councilman Santora proposes and moves adoption of resolution that the Director of Planning be authorized to commence negotiations for the acquisition of property at the NE corner of Hanchett and Park Avenues for the purpose of constructing a street cut-through at Hanchett and Park Avenues, seconded by Councilman Moore, and adopted:

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

Park Ave. Traffic

Councilman Santora proposes and moves adoption of resolution that the Traffic Analyst report on March 5, 1956, on the design for installation of stop signs at the intersection of Shasta with Park Avenue, seconded by Councilman Moore, and adopted:

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

Annexation Petition
El Quito Park No. 1

Petition of Clyde B. Chase, Marika E. Chase, and others, 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. Ferdinand P. Palla, City Attorney, recommends and 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 Solari and adopted:

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

Parking Lots

Complaints from Mary Mitchell and Henry Ferguson regarding parking rates are presented and, by unanimous consent, filed.

Alcoholic Beverage
Control Act

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

Meridian & Willow
Traffic

Councilman Moore requests information regarding status of proposed signals at Meridian Road and Willow Street, a joint city-county project. Traffic Analyst states he has discussed said signals with the County Traffic Engineer, who has furnished him traffic data, and that said project will be worked on as soon as possible.

Curtner Ave. Bridge

Councilman Watson inquires of City Engineer regarding status of bridge at Curtner Avenue. H. J. Flannery, City Engineer, states said bridge is located one-half in City and one-half in County and has been closed because east abutment was undermined and is unsafe. City Engineer states further that consideration is being given by both City and County to construction of a new bridge, because of excessive repair costs. Councilman Moore states he has received a complaint from Bill Hemy regarding use of Bridge Way by Curtner Avenue traffic, and City Engineer advises that Department of Public Works will investigate and perform any necessary road work.

San Jose Water Works
Ord. & Franchise
Report

Councilman Solari proposes and moves adoption of resolution that the Council accept the report and recommendation of the Ordinance and Franchise Committee regarding San Jose Water Works drilling operations at the NE corner of 12th and Martha Streets, and that said report and recommendation be referred to the Department of Planning and City Attorney 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.

Charter Amendment
Examinations

Communication from John E. Longinotti, Chairman, Civil Service Commission, requesting an opportunity to appear before the Committee of the Whole to discuss possible charter amendments affecting Civil Service and communication from the Civil Service Commission requesting that consideration be given to a proposed charter amendment which would permit practical tests in addition to written tests, for promotional examinations, are filed. Mayor Starbird reports that the Committee of the Whole recommends and Councilman Moore proposes and moves adoption of resolution that the text of a proposed amendment to Section 106 of

the Charter be prepared which would permit the use of practical and other suitable tests in addition to the written test for promotional examinations, said proposed amendment to be submitted to the electors at the municipal election to be held on May 8, 1956, seconded by Councilman Watson and adopted:

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

Charter Amendment
Civil Service
Commission
Compensation

Communication from the Civil Service Commission relative to the compensation allowed to members of said commission is presented and filed. Mayor Starbird reports that the Committee of the Whole recommends and Councilman Hathaway proposes and moves adoption of resolution that the text of a proposed amendment to Section 102 of the Charter be prepared which would provide that the chairman of the Civil Service Commission receive compensation in the amount of \$15 per meeting attended but not more than \$75 per month and that other members of said commission receive compensation in the amount of \$10 per meeting attended but not more than \$50 per month, said proposed amendment to be submitted to the electors at the municipal election to be held on May 8, 1956, seconded by Councilman Santora and adopted:

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

Charter Amendment
Museums

Mayor Starbird reports that the Committee of the Whole recommends and Councilman Hathaway proposes and moves adoption of resolution that the text of a proposed amendment to Section 120 of the Charter be prepared, which would remove museums from the control of the Board of Library Trustees, said proposed amendment to be submitted to the electors at the municipal election to be held on May 8, 1956, seconded by Councilman Santora and adopted:

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

Charter Amendment
Payments

Mayor Starbird reports that the Committee of the Whole recommends and Councilman Hathaway proposes and moves adoption of resolution,

that the text of a proposed amendment to Section 91 of the Charter be prepared which would permit progress payments of ninety per cent of the value of labor done and materials used in performance of contracts for public improvements, said proposed amendment to be submitted to the electors at the municipal election to be held on May 8, 1956, seconded by Councilman Santora and adopted:

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

Charter Amendment
Purchases

Mayor Starbird reports that the Committee of the Whole recommends and Councilman Hathaway proposes and moves adoption of resolution that the text of a proposed amendment to Section 59 of the Charter be prepared which would provide that sealed bids would be required only for purchases of \$1,000 or more, said proposed amendment to be submitted to the electors at the municipal election to be held on May 8, 1956, seconded by Councilman Solari, and adopted:

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

Charter Amendment
Public Works

Mayor Starbird reports that the Committee of the Whole recommends and Councilman Watson proposes and moves adoption of resolution that the text of a proposed amendment to Section 89 of the Charter be prepared which would increase the limit above which it is necessary to receive bids for contracts for public works from \$500 to \$1,000, said proposed amendment to be submitted to the electors at the municipal election to be held on May 8, 1956, seconded by Councilman Santora, and adopted:

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

Charter Amendment
Park Concessions

Mayor Starbird reports that the Committee of the Whole recommends and Councilman Hathaway proposes and moves adoption of resolution that the text of a proposed amendment to Section 96 of the Charter be prepared which would provide that concession leases in City Parks could be let for a maximum period of 3 years, said proposed amendment

to be submitted to the electors at the municipal election to be held on May 8, 1956, seconded by Councilman Santora, and adopted:

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

Charter Amendment
Councilmen Salaries

Mayor Starbird reports that the Committee of the Whole recommends and Councilman Hathaway proposes and moves adoption of resolution, that the text of a proposed amendment to Section 6 of the Charter be prepared which would provide that compensation for City Councilmen would be \$250 per month, said proposed amendment to be submitted to the electors at the municipal election to be held on May 8, 1956, seconded by Councilman Solari and adopted:

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

Charter Amendment
Mayor Salary

Mayor Starbird reports that the Committee of the Whole recommends and Councilman Hathaway proposes and moves adoption of resolution, that the text of a proposed amendment to Section 52 of the Charter be prepared which would provide that compensation for the Mayor would be \$500 per month and that he serve as an ex-officio member of all commissions, boards or committees which the Council may direct, said proposed amendment to be submitted to the electors at the municipal election to be held on May 8, 1956, seconded by Councilman Solari and adopted:

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

Bond Issue
Sewers

Mayor Starbird reports that the Committee of the Whole recommends and Councilman Hathaway proposes and moves adoption of resolution that a general obligation bond measure providing for an issue of \$1,500,000 to be used for storm and sanitary sewer revolving funds be prepared and that this proposal be submitted to the electors at the municipal election to be held on May 8, 1956, seconded by Councilman Solari and adopted:

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

Bond Issue
Airport

Mayor Starbird reports that the Committee of the Whole recom-
mends and Councilman Hathaway proposes and moves adoption of resolution
that a general obligation bond measure providing for an issue of
\$500,000 to be used for airport development be prepared and that this
proposal be submitted to the electors at the municipal election to be
held on May 8, 1956, seconded by Councilman Solari and adopted:

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

Bond Issue
Parks And
Corporation Yard

Mayor Starbird reports that the Committee of the Whole recom-
mends and Councilman Hathaway proposes and moves adoption of resolution
that a general obligation bond measure providing for an issue of
\$700,000 to be used for land acquisition and development of parks and
corporation yard, be prepared and that this proposal be submitted to
the electors at the municipal election to be held on May 8, 1956,
seconded by Councilman Foley and adopted:

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

Bond Issue
Streets

Mayor Starbird reports that the Committee of the Whole recom-
mends and Councilman Hathaway proposes and moves adoption of resolution
that a general obligation bond measure providing for an issue of
\$2,250,000 to be used for traffic signals, street lighting, off-street
parking and street cut-throughs, be prepared and that this proposal
be submitted to the electors at the municipal election to be held on
May 8, 1956, seconded by Councilman Solari and adopted:

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

Charter Amendment
Property
Inalienable

Mayor Starbird reports that the Committee of the Whole recom-
mends and Councilman Hathaway proposes and moves adoption of resolution
that the text of a proposed amendment to Section 136 of the Charter be
prepared which would delete the declaration that all real property

owned by the City is inalienable, said proposed amendment to be submitted to the electors at the municipal election to be held on May 8, 1956, seconded by Councilman Solari and adopted:

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

Adjourn

Councilman Foley proposes and moves adoption of resolution that the Council adjourn in respect to the memory of Superior Judge Leonard R. Avilla, deceased February 25, 1956, seconded by Councilman Santora, and adopted:

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

Adjourn

Council now adjourns at 9:09 o'clock P.M.

George Starbird
GEORGE STARBIRD
MAYOR

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

Monday

San Jose, California

March 5, 1956

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

Absent: Councilmen - Foley.

Invocation

Invocation is given by Mayor George Starbird.

Minutes

The Minutes of regular sessions of August 16, 1954, and February 6, 1956, having been read by each Councilman, Councilman Watson proposes and moves adoption of resolution that said Minutes be approved as heretofore read, and that consideration of the Minutes of August 23, 30, September 7, 13, 20, 27, October 4, 11, 15, 25, November 1, 8, 15, 22, December 6, 7, 13, 20, 27, 1954; January 3, 10, 17, 24, 31, February 7, 14, 21, 23, 28, March 7, 4 o'clock & 8 o'clock P.M. March 14, March 21, 22, 28, 31, April 4, 11, 18, 25, May 2, 9, 16, 18, 23, 31, June 6, 13, 20, 27, July 5, 11, 18, 25, August 1, 4, 8, 15, 22, 29, September 6, 12, 14, 26, 28, October 3, 4, 10, 17, 1955; 11 o'clock A.M. & 7 o'clock P.M. February 14, February 20 and 27, 1956, be deferred, seconded by Councilman Solari, and adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - Foley.

Ordinance No. 5053
Quit Claim Deed
Portion University Ave.

Ordinance No. 5053, entitled: "An Ordinance Of The City Of San Jose Authorizing The Mayor And City Manager To Execute, On Behalf Of The City Of San Jose, A Deed Quit Claiming A Portion Of University Avenue, Hereinafter Described, Which Has Been Closed And Abandoned, To Helen K. West", passed to print February 27, 1956, is given final reading and upon motion of Councilman Solari, seconded by Councilman Watson, adopted:

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

Noes: Councilmen - None.

Absent: Councilmen - Foley.

Ordinance No. 5054
Appropriate Funds
Improve 7th &
Commercial Sts.,
Malone Rd.

Ordinance No. 5054, entitled: "An Ordinance Of The City Of San Jose Appropriating The Sum Of \$55,000.00 From The Special Gas Tax Street Improvement Fund To Pay A Portion Of The Cost For The Improvement

Of Seventh And Commercial Streets And Malone Road From Lincoln Avenue To The Guadalupe River", passed to print February 27, 1956, is given final reading and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Ordinance No. 5055
Appropriate \$69,300
San Carlos St.
Property

Ordinance No. 5055, entitled: "An Ordinance Of The City Of San Jose Authorizing The Mayor And City Manager To Purchase On Behalf Of The City Of San Jose Certain Described Pieces Or Parcels Of Real Property And To Execute Agreements Therefor For The Purpose Of Widening San Carlos Street; Setting Forth The Terms And Conditions Therefor, And Appropriating The Sum Of \$69,300.00 From The Special Gas Tax Street Improvement Fund Of Which \$66,000.00 Shall Be Used For The Purchase Of Said Properties And \$3,300.00 For Commissions And Costs", passed to print February 27, 1956, is given final reading and upon motion of Councilman Moore, seconded by Councilman Watson, adopted:

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

Ordinance No. 5056
Transfer Funds
City Auditor

Ordinance No. 5056, entitled: "An Ordinance Of The City Of San Jose Appropriating Two Thousand Dollars (\$2,000) From The General Fund To The Office Of The City Auditor For The Payment Of Such Officer's Operating Expenses For Personal Services For The Fiscal Year 1955-56; And Authorizing The City Auditor To Expend Such Money For Such Purpose", passed to print February 27, 1956, is given final reading and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Ordinance No. 5057
Transfer \$1,950
Store Fund

Ordinance No. 5057, entitled: "An Ordinance Of The City Of San Jose Appropriating To The Store Fund Certain Monies Heretofore Transferred Thereto For Kelley Ranch Purposes, And Authorizing The City Purchasing Agent To Expend Such Monies For General Store Fund Purposes", passed to print February 27, 1956, is given final reading and upon

motion of Councilman Moore, seconded by Councilman Watson, adopted:

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

Ordinance No. 5058
Appropriate \$21,000
Fire Dept. Shop Bldg.
& Equipment

Ordinance No. 5058, entitled: "An Ordinance Of The City Of San Jose Appropriating \$17,000.00 From The General Fund To The Public Improvement Fund; Appropriating \$17,000.00 From The Public Improvement Fund To Department Of Public Works For Construction Of Fire Department Shop Building; Appropriating \$4,000.00 From The 1946 Fire Department Construction Fund To Equip Said Shop; And Authorizing Expenditure", passed to print February 27, 1956, is given final reading and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Ordinance No. 5059
Annexing
Bryan No. 2

Ordinance No. 5059, entitled: "An Ordinance Of The City Of San Jose Approving The Annexation To The City Of San Jose Of Certain Uninhabited Territory Designated 'Bryan No. 2' And Herein Described, And Herein Annexing Said Territory To Said City Of San Jose", passed to print February 27, 1956, is given final reading and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

16 Sedans
Award

A. P. Hamann, City Manager, reports that the bid of San Jose Ford Sales Co., opened February 27, 1956, is the lowest responsible bid for furnishing 16 - 4-door, 8 cylinder sedans, and recommends that said bid be accepted. Councilman Santora proposes and moves adoption of resolution that said bid of San Jose Ford Sales Co. be accepted, contract be awarded for furnishing 16 - 4-door, 8 cylinder sedans, and all other bids be rejected, seconded by Councilman Watson, and adopted:

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

Fire Hydrants
Award

A. P. Hamann, City Manager, reports that the bid of Pacific States Cast Iron Pipe Co., opened February 27, 1956, is the lowest

responsible bid for furnishing 90 fire hydrants, and recommends that said bid be accepted. Councilman Watson proposes and moves adoption of resolution that said bid of Pacific States Cast Iron Pipe Co., be accepted, contract be awarded for furnishing 90 fire hydrants, and all other bids be rejected, seconded by Councilman Santora, and adopted:

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

Gasoline Service
Station SE Corner
Bascom Ave. &
Hedding St.

Council now considers application of the Shell Oil Co., for a permit to establish a gasoline service station at the SE corner of Bascom Avenue and Hedding Street, as deferred from February 27, 1956.

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

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

Stop Signs
Shasta & Hanchett,
With Park Ave.

As referred on February 27, 1956, Traffic Analyst displays map showing proposed design of stop sign pattern in vicinity of Shasta and Hanchett Avenues with Park Avenue, which includes traffic islands to bring the Shasta intersection as far north as possible, two lanes of traffic each way on Park Avenue between Shasta and Hanchett Avenues and between Shasta and Martin Avenues, eliminating parking on one side of said streets. Councilman Moore proposes and moves adoption of resolution that said proposed traffic plan be accepted, seconded by Councilman Santora, and adopted:

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

Stop Signs
Shasta & Hanchett Aves.
With Park Ave.

Traffic Analyst recommends 1) that the intersection of Shasta and Hanchett Avenues with Park Avenue be signalized at the time signals are put in The Alameda and 2) elimination of the 4-way stop at Shasta and Dana Avenues.

Ratify Appointment
Councilman Solari
Sanitation Dist. 4

Councilman Watson proposes and moves adoption of resolution that appointment of Councilman Solari as Council representative to meeting of Sanitation District No. 4 on February 29, 1956, be ratified,

seconded by Councilman Santora, and adopted:

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

Proposed Rezoning
S. Side McKee Rd.,
W. 33rd St.

Recommendation of the City Planning Commission, pursuant to Section 9112.1(c) of the San Jose Municipal Code, that certain parcels of property on the S. side of McKee Road, 127' W. of 33rd Street, be rezoned from R-2 Residence District to C-1 Commercial District, is presented. Councilman Hathaway proposes and moves adoption of resolution that 8:00 o'clock P.M., March 26, 1956, Council Chambers, City Hall, be fixed as time and place for the purpose of considering and discussing the proposed rezoning, seconded by Councilman Santora, and adopted:

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

Proposed Rezoning
NW San Carlos St.
& Dana Ave.

Recommendation of the City Planning Commission, pursuant to Section 9112.1(b) of the San Jose Municipal Code, that certain parcels of property on the NW corner of San Carlos Street and Dana Avenue, be rezoned from M-1 Manufacturing District to C-2 Commercial District, is presented. Councilman Hathaway proposes and moves adoption of resolution that 8:00 o'clock P.M., March 26, 1956, Council Chambers, City Hall, be fixed as time and place for the purpose of considering and discussing the proposed rezoning, seconded by Councilman Solari, and adopted:

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

District Line Extension
2120 Park Ave.

Resolution of the City Planning Commission, by authority of Article IX (Zoning), Chapter 1, Part 7 (Adjustments) of the San Jose Municipal Code, extending the R-3 Residence District from a depth of 150 feet to a depth of 297 feet east of Park Avenue in order to include the entire property situated at 2120 Park Avenue, is presented. Councilman Santora proposes and moves adoption of resolution that said resolution be approved, seconded by Councilman Watson, and adopted:

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

District Line Extension
& Side Yard Adjustment
568 Almaden Ave.

Resolutions of the City Planning Commission, by authority of Article IX (Zoning), Chapter 1, Part 7 (Adjustments) of the San Jose Municipal Code, 1) extending the M-2 Manufacturing District to include the entire property at 568 Almaden Avenue, in order to permit the erection of an auto paint shop in keeping with plot plan on file in the Department of Building, and 2) granting a side yard adjustment to 0' for said parcel, to allow the proposed industrial use building to be located along the property line as shown on attached sketch, are read. Councilman Watson proposes and moves adoption of resolution that said resolutions be approved, seconded by Councilman Solari, and adopted:

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

Variation, Side
& Rear Yard
Adjustments,
Bldg. Height
San Jose Hospital

Resolutions of the City Planning Commission, by authority of Article IX (Zoning), Chapter 1, Part 7 (Adjustments) of the San Jose Municipal Code, 1) granting a variation of the zoning regulations to expand hospital facilities of San Jose Hospital Corporation into the R-3 Residence District along the E. side of N. 14th Street, 2) granting side yard adjustment to 5' along E. side of 14th Street, 3) granting rear yard adjustment to 24', and 4) increasing the building height limitation to 77' in order to allow the construction of the tower for the elevator shaft, are read. General discussion is had regarding off-street parking facilities in area of San Jose Hospital. Councilman Hathaway proposes and moves adoption of resolution that said resolutions be approved, seconded by Councilman Solari, and adopted:

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

Off-St. Parking
San Jose Hospital

Councilman Moore proposes and moves adoption of resolution that matter of off-street parking facilities at San Jose Hospital be referred to the Committee of the Whole for consideration at its meeting of April 2, 1956, seconded by Councilman Santora, and adopted:

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

Fire Dept.
Maintenance Shop

Recommendation of the City Planning Commission, pursuant to Section 94 of the Charter, approving the location and plan of design for the proposed fire department maintenance shop building to be erected on South 3rd and Martha Streets, is presented. Councilman Watson proposes and moves adoption of resolution that said recommendation be approved, seconded by Councilman Santora, and adopted:

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

Sign Over Plan Line
431 Willow St.

Resolution of the City Planning Commission, by authority of Section 8621 of the San Jose Municipal Code, that Edward Wuestner, Jr., 431 Willow Street, be permitted to erect a neon sign on the building at said address, extending 8'3" beyond the Official Plan Line, in keeping with the plan of design on file in the Department of Building, subject to condition that said sign be removed without cost to the City at the time Willow Street is widened, is read. Councilman Santora proposes and moves adoption of resolution that said resolution be approved, and revocable permit be granted pursuant to Section 8621 of the San Jose Municipal Code, seconded by Councilman Santora, and adopted:

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

Final Zoning Report
Bascom No. 21
Resolution No. 11973

Resolution of the City Planning Commission, adopted February 28, 1956, entitled: "Resolution Submitting To Council Final Report On Zoning Annexed Area Known As 'Bascom No. 21'", is presented. Resolution No. 11973, directing public hearing on final report of the City Planning Commission on zoning annexed area designated "Bascom No. 21", is read and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Resolution No. 11974
Tentative Report
Zoning
Casey No. 1A

Resolution of the City Planning Commission, submitting tentative report on zoning uninhabited annexed area known as Casey No. 1A, is presented. Resolution No. 11974, directing public hearing on tentative

report of the City Planning Commission on zoning uninhabited annexed area known as Casey No. 1A and providing for notice of said hearing, is read and upon motion of Councilman Hathaway, seconded by Councilman Santora, adopted:

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

Resolution No. 11975
Tentative Report
Zoning
Easterbrook No. 3

Resolution of the City Planning Commission, submitting tentative report on zoning uninhabited annexed area known as Easterbrook No. 3, is presented. Resolution No. 11975, directing public hearing on tentative report of the City Planning Commission on zoning uninhabited annexed area known as Easterbrook No. 3 and providing for notice of said hearing, is read and upon motion of Councilman Hathaway, seconded by Councilman Santora, adopted:

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

Resolution No. 11976
Tentative Report
Zoning
Lone Hill No. 5

Resolution of the City Planning Commission, submitting tentative report on zoning uninhabited annexed area known as Lone Hill No. 5, is presented. Resolution No. 11976, directing public hearing on tentative report of the City Planning Commission on zoning uninhabited annexed area known as Lone Hill No. 5 and providing for notice of said hearing, is read and upon motion of Councilman Hathaway, seconded by Councilman Santora, adopted:

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

Resolution No. 11977
Tentative Report
Zoning
Maywood No. 3

Resolution of the City Planning Commission, submitting tentative report on zoning uninhabited annexed area known as Maywood No. 3, is presented. Resolution No. 11977, directing public hearing on tentative report of the City Planning Commission on zoning uninhabited annexed area known as Maywood No. 3 and providing for notice of said hearing is read and upon motion of Councilman Hathaway, seconded by Councilman Santora, adopted:

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

Resolution No. 11978
Tentative Report
Zoning
Moreland No. 4

Resolution of the City Planning Commission, submitting tentative report on zoning uninhabited annexed area known as Moreland No. 4, is presented. Resolution No. 11978, directing public hearing on tentative report of the City Planning Commission on zoning uninhabited annexed area known as Moreland No. 4 and providing for notice of said hearing, is read and upon motion of Councilman Hathaway, seconded by Councilman Santora, adopted:

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

Resolution No. 11979
Tentative Report
Zoning
McLaughlin No. 2

Resolution of the City Planning Commission, submitting tentative report on zoning uninhabited annexed area known as McLaughlin No. 2, is presented. Resolution No. 11979, directing public hearing on tentative report of the City Planning Commission on zoning uninhabited annexed area known as McLaughlin No. 2 and providing for notice of said hearing, is read and upon motion of Councilman Hathaway, seconded by Councilman Santora, adopted:

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

El Quito Park No. 1
Annexation
Resolution No. 11980

Council now considers petition of property owners requesting annexation of uninhabited territory designated El Quito Park No. 1. W. E. Rodgers, Public Administration Specialist II, is called by the City Attorney, and sworn. Ferdinand P. Palla, City Attorney, presents and files affidavit of Irving L. Ryder, Civil Engineer, that he has examined the attached description of the territory designated El Quito Park No. 1, that he prepared the attached map and that said map truly shows the boundaries of said territory, that said territory is contiguous to the City of San Jose and that said territory contains 16.986 acres; affidavits of W. E. Rodgers, Public Administration Specialist II, and John Corry Fell, Public Administration Specialist II, that they examined the records of the Registrar of Voters of Santa Clara County

and determined that 7 registered voters resided within said territory on February 27, 1956; affidavit of Irving L. Ryder, Civil Engineer, that he has computed the acreage of parcels which are partly within and partly outside the boundaries of said territory and that column 8 of the attached chart entitled, "Chart Re Acreages And Values In El Quito Park No. 1" shows the number of acres of such parcels which are within the boundaries of said territory; affidavits of John Corry Fell, Public Administration Specialist II, and W. E. Rodgers, Public Administration Specialist II, that they have 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 chart entitled, "Chart Re Acreages And Values In El Quito Park No. 1" and that said information is true and correct; statement of Peninsula Title Guaranty Company stating that said petitioners own more than one-fourth of the land of El Quito Park No. 1 by area and by assessed valuation as shown on the last equalized assessment roll of Santa Clara County, California. W. E. Rodgers, Public Administration Specialist II, 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. Resolution No. 11980, giving notice of proposed annexation of certain uninhabited territory designated El Quito Park No. 1 to the City of San Jose and fixing 8:00 o'clock P.M., April 23, 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 Santora, adopted:

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

Payment Authorized

Certificate of H. J. Flannery, City Engineer, approved by the City Manager, that there is due and payable to Lew Jones Construction Company, on contract for the improvement of Keyes Street from Senter Road to Coyote River (MCS Project No. 77 - Unit II); for the improvement to Old Keyes Street Bridge and for the construction of New Keyes Street Bridge, a seventh partial payment of \$15,374.90, is read. Councilman

Watson proposes and moves adoption of resolution that said payment be authorized, seconded by Councilman Santora, and adopted:

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

Greyhound Bus Depot
Sidewalk Elevator

Reports of R. V. Lotz, City Building Official, and A. B.

Philpott, Traffic Analyst, regarding complaint of the use of a sidewalk elevator at the Greyhound Bus Company are presented and, by unanimous consent, filed.

Approve Sign
N. Side San Carlos St.
Nr. Royal Ave.

Report of R. V. Lotz, City Building Official, approving design of proposed sign to be erected on city-owned property on the N. side of San Carlos Street near Royal Avenue, is presented, and by unanimous consent, filed.

Charter Amendment
Public Works
Contract Limit

Victor H. Beauzay, Attorney at Law, representing Building & Construction Trades Council, appears and proposes amendments to proposed amendment to Article XII, Section 89 of the Charter. General discussion is had with Otto Sargent, Henry T. Gundersen and Fred O. Jorgensen participating. By unanimous consent, further discussion on the matter is deferred until after the public hearings.

Recess

Councilman Moore proposes and moves adoption of resolution that the Council recess to reconvene at 8:15 o'clock P.M., and that all bid openings and public hearings be continued until that time, seconded by Councilman Santora, and adopted:

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

Recess

The Council now recesses at 8:05 o'clock P.M.

Reconvene

The Council now reconvenes at 8:15 o'clock P.M. and the Acting Clerk calls the roll:

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

Bid
Dog Wagon Body
& Option

Acting City Clerk reports receipt of one sealed proposal or or bid for one dog wagon body and option to purchase additional dog wagon body. Councilman Hathaway proposes and moves adoption of resolution that said proposal or bid be opened, seconded by Councilman Solari

and adopted:

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

Bid

Acting City Clerk now opens said sealed proposal or bid.

Items	Bidder	
	Barshow & Baleria Price	
	\$	Cts.
1 dog wagon body, per specifications	1,241.00	
Option to purchase 1 dog wagon body, per specifications	1,241.00	

PLUS STATE AND FEDERAL TAX.

Guarantee: Barshow & Baleria - certified #8696 check #12279 (90-85-1211) in amount of \$125.00.

Bid
Dog Wagon Body
& Option

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 Santora and adopted:

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

Bids
Aviation Gasoline & Oil

Acting City Clerk reports receipt of two sealed proposals or bids for furnishing aviation gasoline and oil. 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.

Items	Bidders	
	Shell Oil Company Price	Standard Oil Company of California Price
	\$ Cts.	\$ Cts.
Grades 80/87 octane, 91/96 octane and 100 octane aviation gasoline, at posted tank wagon prices for San Jose, less discount per gallon	0.0325	0.02*
Straight mineral aviation lubricating oil, S.A.E. 30,40,50 and/or 60, delivered in bulk in minimum lots of 20 gals. per delivery, per gallon	0.74	0.955*
Straight mineral aviation lubricating oil, S.A.E. 30,40,50 and/or 60, delivered in quart containers in minimum lots of 20 gallons per delivery, per gallon	0.875	1.135*

Items	Bidders	
	Shell Oil Company Price	Standard Oil Company of California Price
	\$ Cts.	\$ Cts.
Compounded Aviation Lubricating Oil, S.A.E. 30,40,50 and/or 60, delivered in bulk, in minimum lots of 20 gals. per delivery, per gallon	No Bid	0.955*
Compounded Aviation Lubricating Oil, S.A.E. 30,40,50 and/or 60, delivered in quart containers in minimum lots of 20 gals. per delivery, per gallon	No Bid	1.135*

*Delivery to be made in 2 tank trucks instead of 3 delivery trucks.

PLUS STATE AND FEDERAL TAXES

Guarantee: Shell Oil Company - certified #004283 check #2-1548 (11-16-1210) in amount of \$200.00; Standard Oil Company of California - certified #108888 check #70638 (11-17-1210) in amount of \$200.00.

Bids
Aviation Gasoline & Oil

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

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

Vermont St.
Close & Abandon
Public Hearing

This being the time and place, as set on February 6, 1956, for hearing protests why portions of Vermont Street as shown and designated on that certain map entitled "Map Showing A Portion Of Vermont Street Proposed To Be Closed And Abandoned As It Appears On The Map Of The University Grounds As Recorded In Book Of Maps 'A' At Pages 80 And 81 Santa Clara County Records" should not be closed and abandoned, Acting City Clerk advises that no written protests have been received. Bob Erickson, Suzanne Gardens Nursery, appears in protest to said closing, alleging that said closing will hinder the flow of traffic in this vicinity. Ferdinand P. Palla, City Attorney, presents and files affidavit of Harold Cunningham, Sidewalk Inspector, that he posted on February 21, 1956, a notice of said closing and affidavit of Marcia G. De Witt, of the publication in the San Jose News on February 20 and 21, 1956 of Resolution No. 11908. General discussion is had. Councilman Hathaway proposes and moves adoption of resolution that said hearing be continued to March 12, 1956, seconded by Councilman Santora, and adopted:

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

Vermont St.
Sidewalks

Councilman Hathaway proposes and moves adoption of resolution that matter of sidewalk installation on portions of Vermont Street be referred to the Committee on Streets and Sewers, seconded by Councilman Santora, and adopted:

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

7th & Commercial 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 February 15, 1956, by H. J. Flannery, City Engineer, on the improvement of 7th Street between the center line of Rosa Street and its northerly termination thereon, Commercial Street between the center line of 10th Street and the center line of 4th Street and 5th Street between the northerly line of Tract No. 614, Rosalie Tract, Unit No. 3 and its northerly termination thereon, City Clerk advises that no protests have been filed. No person is present desirous of being heard. Councilman Santora proposes and moves adoption of resolution that said hearing be closed, seconded by Councilman Watson, and adopted:

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

7th & Commercial Sts.
Resolution No. 11981
Confirming Assessments

Resolution No. 11981, approving and confirming assessment and ordering warrant in the matter of the improvement of portions of 7th Street between the center line of Rosa Street and its northerly termination thereon, Commercial Street between the center line of 10th Street and the center line of 4th Street and 5th Street between the northerly line of Tract No. 614, Rosalie Tract, Unit No. 3 and its northerly termination thereon, is read and upon motion of Councilman Watson, seconded by Councilman Hathaway, adopted:

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

Charter Amendment
Public Works
Contract Limit

Councilman Watson proposes and moves adoption of resolution that the proposed amendment to Article XII, Section 89 of the Charter, relative to raising the minimum amount which can be expended on public works without the necessity of submitting the same to bid from \$500 to \$1,000 be not submitted to a vote of the electors, seconded by Councilman Santora, and not adopted:

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

Charter Amendment
Public Works
Contract Limit

Upon request of Councilman Solari, H. J. Flannery, City Engineer, states reasons in favor of proposed amendment to Article XII, Section 89 of the Charter. Otto Sargent appears and states this is the first time the Building & Construction Trades Council has appeared with any amendment to the Charter, that said group has taken previous matters up with City Manager or City Engineer, and requests that said statement be entered in the Minutes. Councilman Solari proposes and moves adoption of resolution that City Manager recommend a suggested committee to investigate and report on allegation that public works jobs have been divided so that it has not been necessary to call for bids, pursuant to Article XII, Section 89 of the Charter, seconded by Councilman Hathaway. Councilman Watson proposes and moves adoption of amendment to said resolution which would provide that said committee consist of two Councilmen appointed by the Mayor, the City Engineer, City Attorney and Victor H. Beauzay, Attorney at Law, seconded by Councilman Santora, and adopted:

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

Charter Amendment
Public Works
Contract Limit

Mayor Starbird appoints Councilmen Santora and Solari to act as members of committee to investigate and report on allegation that public works jobs have been divided so that it has not been necessary to call for bids, pursuant to Article XII, Section 89 of the Charter.

Oroville Dam

Copy of a resolution of the City of Oroville, urging support for proposed Oroville Dam, is presented. Councilman Watson proposes and moves adoption of resolution that said resolution be referred to

the City Attorney for approval, seconded by Councilman Santora, and adopted:

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

Burro On 1st St.

Request of Bella Records, Inc., for permit to lead a burro on 1st Street, followed by a sound truck, at 11:00 o'clock A.M., March 10, 1956, heretofore referred to and approved by the Chief of Police, is presented, and by unanimous consent, said request is filed.

County Sanitation
Dist. No. 4

Request of County Sanitation District No. 4 of Santa Clara County for approval to proposed annexation of 65 acres west of Saratoga Avenue, opposite Fruitvale Avenue, to said Sanitation District, is presented. Councilman Hathaway proposes and moves adoption of resolution that said request be referred to the City Engineer and City Attorney for consideration and report, seconded by Councilman Watson, and adopted:

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

Proclamation
Library Week

Request of Board of Library Trustees that March 11 to March 17, 1956, be proclaimed as "Library 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 - Hathaway, Moore, Santora, Solari,
Watson and Starbird.
Noes: Councilmen - None.
Absent: Councilmen - Foley.

County Boundary Comm.
Notice Of Annexations

Notification from County Boundary Commission, pursuant to Section 35002 of the Government Code of annexations within 3 miles of San Jose is presented and, by unanimous consent, filed.

Cupertino Dist.

Request of W. B. Ward that name of Cupertino be retained as a San Jose district zone is presented. W. B. Ward appears in support of said request. Councilman Santora proposes and moves adoption of resolution that said request be referred to the City Planning Commission, 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.

Engineer I;
Junior Engineer

Recommendation of the Civil Service Commission that (1) Salary range for Engineer I be increased one step and (2) classification of Junior Engineer be established and that a salary range be adopted, is presented. Councilman Moore proposes and moves adoption of resolution that said recommendation be referred to the Committee on Finance for report on March 12, 1956, seconded by Councilman Watson, and adopted:

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

Appoint Councilman
Attend Civil Service
Commission Meetings

Councilman Santora states he is unable to attend future meetings of the Civil Service Commission and requests that the Mayor appoint another Councilman to attend said meetings.

Driveway Widths

Councilman Moore proposes and moves adoption of resolution that proposal to amend the San Jose Municipal Code relative to driveway widths be referred to the Committee on Streets and Sewers, and the City Engineer, seconded by Councilman Santora, and adopted:

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

Pin Ball Machines

Councilman Watson proposes and moves adoption of resolution that the Council not consider adoption of regulations prohibiting pin ball machines at this time, seconded by Councilman Santora, and adopted:

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

Polio Program
Resolution No. 11982

Resolution No. 11982, amending Resolution No. 11772 relative to a poliomyelitis vaccination program is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Moore, adopted:

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

Resolution No. 11983
General Election

Resolution No. 11983, calling and giving notice of a municipal election to be held on May 8, 1956, for the purpose of electing such number of the four Councilmen required to be elected in 1956 who shall not have been elected at the election to be held on April 10, 1956, and to elect a City Auditor if he shall not have been elected at said April 10 election, is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Solari, adopted:

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

Resolution No. 11984
Richmond-Chase
Shipping Dock

Resolution No. 11984, granting a revocable permit to Richmond-Chase Company to construct and maintain a shipping dock extending into Montgomery Street, is presented by the City Attorney, and upon motion of Councilman Watson, seconded by Councilman Santora, adopted:

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

Ordinance No. 5060
Fee - Haines

Ordinance No. 5060, entitled: "An Ordinance Of The City Of San Jose Appropriating \$37,500.00 From The 1956 City Hall Bond Fund For Architectural Services For The City Hall; And Authorizing The Immediate Payment Of \$28,750.00 To Donald F. Haines", is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Solari, passed to print:

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

Ordinance No. 5061
San Carlos St.

Ordinance No. 5061, entitled: "Ordinance Of The City Of San Jose Authorizing The Mayor And City Manager To Acquire By Purchase And Exchange On Behalf Of The City Certain Parcels Of Real Property For The Purpose Of Widening San Carlos Street And To Execute Agreements Therefor; And Appropriating The Sum Of \$17,000 From The Special Gas Tax Street Improvement Fund For The Acquisition Of Said Real Property", is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Solari, passed to print:

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

Ordinance No. 5062
Tract No. 1497

Ordinance No. 5062, entitled: "An Ordinance Of The City Of San Jose Authorizing The Execution Of Agreement Modifying Paragraph 6D Of That Certain Agreement Entitled 'Contract For The Improvement Of Tract No. 1497, Willo-Mar' Entered Into Between The City Of San Jose And S.K.S. Development Co. On The 23rd Day Of September, 1955, Providing For The Reimbursement To S.K.S. Development Company Of Certain Expenses Not To Exceed \$19,000 Of S.K.S. Development Co. In Connection With The Construction By Said Company Of Certain Sanitary Sewer Facilities Serving Tract No. 1497, Willo-Mar Subdivision; Appropriating The Sum Of \$19,000 From The General Fund For The Purpose Of Reimbursing Said S.K.S. Development Company For The Above-Mentioned Expenses In Connection With The Construction Of The Above-Mentioned Sewer Facilities; And Authorizing The Expenditure Of The Above-Mentioned \$19,000 For The Above Mentioned Purpose", is presented by the City Attorney, and upon motion of Councilman Hathaway, seconded by Councilman Solari, passed to print:

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

Ordinance No. 5063
Sewers - Appropriation

Ordinance No. 5063, entitled: "An Ordinance Of The City Of San Jose Appropriating The Sum Of \$131,000 From The 1950 Sewage Treatment Bond Fund For The Preparation Of Detailed Plans And Specifications For, Providing Engineering Inspection Services In Connection With And For The Purpose Of Constructing That Certain Sewage Collection Facility Herein Referred To As 'Bollinger Sanitary Sewer Project No. I' And Authorizing The City Manager And The City Engineer To Expend Said Sum For Said Purposes; Appropriating The Sum Of \$11,000 From The 1950 Sewage Treatment Bond Fund For The Preparation Of Detailed Plans And Specifications For, Providing Engineering Inspection Services In Connection With And For The Purpose Of Constructing That Certain Sewage Collection Facility Herein Referred To As 'Doyle Sanitary Sewer Project No. I' And Authorizing The City Manager And The City Engineer To Expend Said Sum For Said Purposes", is presented by the City Attorney, and upon motion